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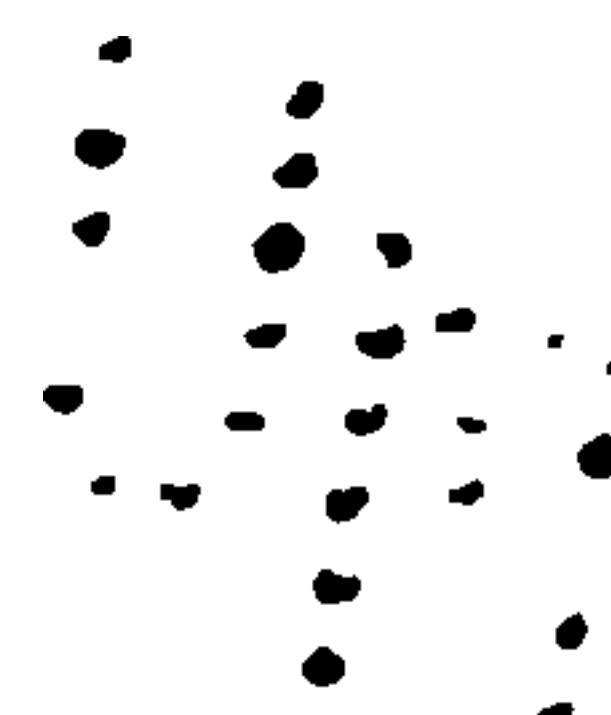
SPECIAL SERIES No. 3

# THE TALMUD

BY

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Therof*

EMANUEL DEUTSCH



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# THE TALMUD<sup>1</sup>

WHAT is the Talmud?

What is the nature of that strange production of which the name, imperceptibly almost, is beginning to take its place among the household words of Europe? Turn where we may in the realms of modern learning, we seem to be haunted by it. We meet with it in theology, in science, even in general literature, in their highways and in their by-ways. There is not a handbook to all or any of the many departments of biblical lore, sacred geography, history, chronology, numismatics, and the rest, but its pages contain references to the Talmud. The advocates of all religious opinions appeal to its dicta. Nay, not only the scientific investigators of Judaism and Christianity, but those of Mohammedanism and Zoroastrianism, turn to it in their dissections of dogma and legend and ceremony. If, again, we take up any recent volume of archæological or philological transactions, whether we light on a dissertation on a Phœnician altar, or a cuneiform tablet, Babylonian weights, or Sassanian coins, we are certain to find this mysterious word. Nor is it merely the restorers of the lost idioms of Canaan and Assyria, of Himyar and Zoroastrian Persia, that appeal to the Talmud for assis-

<sup>1</sup> This article appeared in the *Quarterly Review* for October, 1867, vol. cxxiii., No. 246.



tance ; but the modern schools of Greek and Latin philology are beginning to avail themselves of the classical and post-classical materials that lie scattered through it. Jurisprudence, in its turn, has been roused to the fact that, apart from the bearing of the Talmud on the study of the Pandects and the Institutes, there are also some of those very laws of the Medes and Persians—hitherto but a vague sound—hidden away in its labyrinths. And so too with medicine, astronomy, mathematics, and the rest. The history of these sciences, during that period over which the composition of the Talmud ranges—and it ranges over about a thousand years—can no longer be written without some reference to the items preserved, as in a vast buried city, in this cyclopean work. Yet, apart from the facts that belong emphatically to these respective branches, it contains other facts, of larger moment still : facts bearing upon human culture in its widest sense. Day by day there are excavated from these mounds pictures of many countries and many periods. Pictures of Hellas and Byzantium, Egypt and Rome, Persia and Palestine ; of the temple and the forum, war and peace, joy and mourning ; pictures teeming with life, glowing with color.

These are, indeed, signs of the times. A mighty change has come over us. We, children of this latter age, are, above all things, utilitarian. We do not read the Koran, the Zend-Avesta, the Vedas, with the sole view of refuting them. We look upon all literature, religious, legal, and otherwise, when-

soever and wheresoever produced, as part and parcel of humanity. We, in a manner, feel a kind of responsibility for it. We seek to understand the phase of culture which begot these items of our inheritance, the spirit that moves upon their face. And while we bury that which is dead in them, we rejoice in that which lives in them. We enrich our stores of knowledge from theirs, we are stirred by their poetry, we are moved to high and holy thoughts when they touch the divine chord in our hearts.

In the same human spirit we now speak of the Talmud. There is even danger at hand that this chivalresque feeling—one of the most touching characteristics of our times—which is evermore prompting us to offer holocausts to the Manes of those whom former generations are thought to have wronged, may lead to its being extolled somewhat beyond its merit. As these ever new testimonies to its value crowd upon us, we might be led into exaggerating its importance for the history of mankind. Yet an old adage of its own says: "Above all things, study. Whether for the sake of learning or for any other reason, study. For, whatever the motives that impel you at first, you will very soon love study for its own sake." And thus even exaggerated expectations of the treasure-trove in the Talmud will have their value, if they lead to the study of the work itself.

For, let us say it at once, these tokens of its existence, that appear in many a new publication, are, for the most part, but will-o'-the-wisps. At first



sight one would fancy that there never was a book more popular, or that formed more exclusively the mental centre of modern scholars, Orientalists, theologians, or jurists. What is the real truth? Paradoxical as it may seem, there never was a book at once more universally neglected and more universally talked of. Well may we forgive Heine, when we read the glowing description of the Talmud contained in his "Romancero," for never having even seen the subject of his panegyrics. Like his countryman Schiller, who, pining vainly for one glimpse of the Alps, produced the most glowing and faithful picture of them, so he, with the poet's unerring instinct, gathered truth from hearsay and description. But how many of these ubiquitous learned quotations really flow from the fountain-head? Too often and too palpably it is merely—to use Samson's agricultural simile—those ancient and well-worked heifers, the "Tela ignea Satanæ," the "Abgezogener Schlangenbalg," and all their venomous kindred, which are once more being dragged to the plough by some of the learned. We say the learned: for as to the people at large, often as they hear the word now, we firmly believe that numbers of them still hold, with that erudite Capucin friar, Henricus Seynensis, that the Talmud is not a book, *but a man*. "Ut narrat Rabinus Talmud"—"As says Rabbi Talmud"—cries he, and triumphantly clinches his argument!

And of those who know that it is not a Rabbi, how many are there to whom it conveys any but the vaguest of notions? Who wrote it? What is

its bulk? Its date? Its contents? Its birthplace? A contemporary lately called it "a sphinx, towards which all men's eyes are directed at this hour, some with eager curiosity, some with vague anxiety." But why not force open its lips? How much longer are we to live by quotations alone, quotations a thousand times used, a thousand times abused?

Where, however, are we to look even for primary instruction? Where learn the story of the book, its place in literature, its meaning and purport, and, above all, its relation to ourselves?

If we turn to the time-honored "Authorities," we shall mostly find that, in their eagerness to serve some cause, they have torn a few pieces off that gigantic living body; and they have presented to us these ghastly anatomical preparations, twisted and mutilated out of all shape and semblance, saying, Behold, this is the book! Or they have done worse. They have not garbled their samples, but have given them exactly as they found them; and then stood aside, pointing at them with jeering countenance. For their samples were ludicrous and grotesque beyond expression. But these wise and pious investigators unfortunately mistook the gargoyles, those grinning stone caricatures that mount their thousand years' guard over our cathedrals, for the gleaming statues of the Saints within; and, holding them up to mockery and derision, they cried, These be thy gods, O Israel!

Let us not be misunderstood. When we complain of the lack of guides to the Talmud, we do not wish to be ungrateful to those great and earn-



est scholars whose names are familiar to every student, and whose labors have been ever present to our mind. For, though in the whole realm of learning there is scarcely a single branch of study to be compared for its difficulty to the Talmud, yet, if a man had time, and patience, and knowledge, there is absolutely no reason why he should not, up and down ancient and modern libraries, gather most excellent hints from essays and treatises, monographs and sketches, in books and periodicals without number, by dint of which, aided by the study of the work itself, he might arrive at some conclusion as to its essence and tendencies, its origin and its development. Yet, so far as we know, that work, every step of which, it must be confessed, is beset with fatal pitfalls, has not yet been done for the world at large. It is for a very good reason that we have placed nothing but the name of the Talmud itself at the head of our paper. We have sought far and near for some one special book on the subject, which we might make the theme of our observations—a book which should not merely be a garbled translation of a certain twelfth century “Introduction,” interspersed with vituperations and supplemented with blunders, but which from the platform of modern culture should pronounce impartially upon a production which, if for no other reason, claims respect through its age,—a book that would lead us through the stupendous labyrinths of fact, and thought, and fancy, of which the Talmud consists, that would rejoice even in hieroglyphical fairy-lore,

in abstruse propositions and syllogisms, that could forgive wild outbursts of passion, and not judge harshly and hastily of things, the real meaning of which may have had to be hidden under the fool's cap and bells.

We have not found such a book, nor anything approaching to it. But closely connected with that circumstance is this other, that we were fain to quote the first editions of this Talmud, though scores have been printed since, and about a dozen are in the press at this very moment. Even this first edition was printed in hot haste, and without due care; and every succeeding one, with one or two insignificant exceptions, presents a sadder spectacle. In the Basle edition of 1578—the third in point of time, which has remained the standard edition almost ever since—that amazing creature, the Censor, stepped in. In his anxiety to protect the “Faith” from all and every danger—for the Talmud was supposed to hide bitter things against Christianity under the most innocent-looking words and phrases—this official did very wonderful things. When he, for example, found some ancient Roman in the book swearing by the Capitol or by Jupiter “of Rome,” his mind instantly misgave him. Surely this Roman must be a Christian, the Capitol the Vatican, Jupiter the Pope. And forthwith he struck out Rome and substituted any other place he could think of. A favorite spot seems to have been Persia, sometimes it was Aram or Babel. So that this worthy Roman may be found unto this day swearing by the Capitol of Persia or by the Jupiter



of Aram and Babel. But whenever the word "Gentile" occurred, the Censor was seized with the most frantic terrors. A "Gentile" could not possibly be aught but a Christian; whether he lived in India or in Athens, in Rome or in Canaan; whether he was a good Gentile—and there are many such in the Talmud—or a wicked one. Instantly he christened him; and christened him, as fancy moved him, an "Egyptian," an "Aramæan," an "Amalekite," an "Arab," a "Negro;" sometimes a whole "people." We are speaking strictly to the letter. All this is extant in our very last editions.

Once or twice attempts were made to clear the text from its foulest blemishes. There was even, about two years ago, a beginning made of a "critical" edition, such as not merely Greek and Roman, Sanscrit and Persian classics, but the veriest trash written in those languages would have had ever so long ago. And there is—M. Renan's unfortunate remark to the contrary notwithstanding<sup>1</sup>—no lack of Talmudical MSS., however fragmentary they be for the most part. There are innumerable variations, additions, and corrections to be gleaned from the Codices at the Bodleian and the Vatican, in the Libraries of Odessa, Munich, and Florence, Hamburg and Heidelberg, Paris and Parma. But an evil eye seems to be upon this book. This corrected edition remains a torso, like the two first volumes of translations of the Talmud, commenced at different periods, the second volumes of which

<sup>1</sup> "On sait qu'il ne reste aucun manuscrit du Talmud pour contrôler les éditions imprimées."—*Les Apôtres*, p. 262.



never saw the light. It therefore seemed advisable to refer to the Editio Princeps, as the one that is at least free from the blemishes, censorial or typographical, of later ages.

Well does the Talmud supplement the Horatian "Habent sua fata libelli," by the words "even the sacred scrolls in the Tabernacle." We really do not wonder that the good Capucin of whom we spoke mistook it for a man. Ever since it existed—almost before it existed in a palpable shape—it has been treated much like a human being. It has been proscribed, and imprisoned, and burnt, a hundred times over. From Justinian, who, as early as 553 A.D., honored it by a special interdictory Novella,<sup>1</sup> down to Clement VIII. and later—a space of over a thousand years—both the secular and the spiritual powers, kings and emperors, popes and anti-popes, vied with each other in hurling anathemas and bulls and edicts of wholesale confiscation and conflagration against this luckless book. Thus, within a period of less than fifty years—and these forming the latter half of the sixteenth century—it was publicly burnt no less than six different times, and that not in single copies, but wholesale, by the wagon-load. Julius III. issued his proclamation against what he grotesquely calls the "Gemarothe Thalmud," in 1553 and 1555, Paul IV. in 1559, Pius V. in 1566, Clement VIII. in 1592 and 1599. The fear of it was great indeed. Even Pius IV., in giving permission for a new edition, stipulated expressly

<sup>1</sup> *Novella* 146, Περὶ Ἑβραίων (addressed to the Præfectus Prætorio Areobindus).

that it should appear without the name Talmud. "Si tamen prodierit sine nomine Thalmud tolerari deberet." It almost seems to have been a kind of Shibboleth, by which every new potentate had to prove the rigor of his faith. And very rigorous it must have been, to judge by the language which even the highest dignitaries of the Church did not disdain to use at times. Thus Honorius IV. writes to the Archbishop of Canterbury in 1286 anent that "damnable book" (*liber damnabilis*), admonishing him gravely and desiring him "vehemently" to see that it be not read by anybody, since "all other evils flow out of it."—Verily these documents are sad reading, only relieved occasionally by some wild blunder that lights up as with one flash the abyss of ignorance regarding this object of wrath.

We remember but one sensible exception in this Babel of manifestoes. Clement V., in 1307, before condemning the book, wished to know something of it, and there was no one to tell him. Whereupon he proposed—but in language so obscure that it left the door open for many interpretations—that three chairs be founded, for Hebrew, Chaldee, and Arabic, as the three tongues nearest to the idiom of the Talmud. The spots chosen by him were the Universities of Paris, Salamanca, Bologna, and Oxford. In time, he hoped, one of these Universities might be able to produce a translation of this mysterious book. Need we say that this consummation never came to pass? The more expeditious process of destruction was resorted to again and again and again, not merely in the single cities of Italy and



France, but throughout the entire Holy Roman Empire.

At length a change took place in Germany. One Pfefferkorn, a miserable creature enough, began, in the time of the Emperor Maximilian, to agitate for a new decree for the extermination of the Talmud. The Emperor lay with his hosts before Pavia, when the evil-tongued messenger arrived in the camp, furnished with goodly letters by Kunigunde, the Emperor's beautiful sister. Maximilian, wearied and unsuspecting, renewed that time-honored decree for a confiscation, to be duly followed by a conflagration, readily enough. The confiscation was conscientiously carried out, for Pfefferkorn knew well enough where his former coreligionists kept their books. But a conflagration of a very different kind ensued. Step by step, hour by hour, the German Reformation was drawing nearer. Reuchlin, the most eminent Hellenist and Hebraist of his time, had been nominated to sit on the Committee which was to lend its learned authority to the Emperor's decree. But he did not relish this task. "He did not like the look of Pfefferkorn," he says. Besides which, he was a learned and an honest man, and, having been the restorer of classical Greek in Germany, he did not care to participate in the wholesale murder of a book "written by Christ's nearest relations." Perhaps he saw the cunningly-laid trap. He had long been a thorn in the flesh of many of his contemporaries. His Hebrew labors had been looked upon with bitter jealousy, if not fear. Nothing less was con-



templated in those days—the theological Faculty of Mayence demanded it openly—than a total “Revision and Correction” of the Hebrew Bible, “inasmuch as it differed from the Vulgate.” Reuchlin, on his part, never lost an opportunity of proclaiming the high importance of the “Hebrew Truth,” as he emphatically called it. His enemies thought that one of two things would follow. By officially pronouncing upon the Talmud, he was sure either to commit himself dangerously—and then a speedy end would be made of him—or to set at naught, to a certain extent, his own previous judgments in favor of these studies. He declined the proposal, saying, honestly enough, that he knew nothing of the book, and that he was not aware of the existence of many who knew anything of it. Least of all did its detractors know it. But, he continued, even if it should contain attacks on Christianity, would it not be preferable to reply to them? “Burning is but a ruffianly argument (*Bacchanten-Argument*).” Whereupon a wild outcry was raised against him as a Jew, a Judaizer, a bribed renegade, and so on. Reuchlin, nothing daunted, set to work upon the book in his patient hard-working manner. Next he wrote a brilliant defence of it. When the Emperor asked his opinion, he repeated Clement’s proposal to found Talmudical chairs. At each German university there should be two professors, specially appointed for the sole purpose of enabling students to become acquainted with this book. “As to burning it,” he continues, in the famous Memorial addressed to

the Emperor, "if some fool came and said, Most mighty Emperor! your Majesty should really suppress and burn the books of alchymy [a fine *argumentum ad hominem*] because they contain blasphemous, wicked, and absurd things against our faith, what should his Imperial Majesty reply to such a buffalo or ass but this: Thou art a ninny, rather to be laughed at than followed? Now because his feeble head cannot enter into the depths of a science, and cannot conceive it, and does understand things otherwise than they really are, would you deem it fit to burn such books?"

Fiercer and fiercer waxed the howl, and Reuchlin, the peaceful student, from a witness became a delinquent. What he suffered for and through the Talmud cannot be told here. Far and wide, all over Europe, the contest raged. A whole literature of pamphlets, flying sheets, caricatures, sprang up. University after University was appealed to against him. No less than forty-seven sittings were held by the theological Faculty of Paris, which ended by their formal condemnation of Reuchlin. But he was not left to fight alone. Around him rallied, one by one, Duke Ulrich of Würtemberg, the Elector Frederick of Saxony, Ulrich von Hutten, Franz von Sickingen—he who finally made the Colognians pay their costs in the Reuchlin trial—Erasmus of Rotterdam, and that whole brilliant phalanx of the "Knights of the Holy Ghost," the "Hosts of Pallas Athene," the "*Talmutphili*," as the documents of the period variously styled them: they whom we call the Humanists.



And their palladium and their war-cry was—oh! wondrous ways of History—the Talmud! To stand up for Reuchlin meant, to them, to stand up for “the Law ; to fight for the Talmud was to *fight for the Church!* “Non te,” writes Egidio de Viterbo to Reuchlin, “sed Legem: *non Thalmud, sed Ecclesiam!*”

The rest of the story is written in the “*Epistolæ Obscurorum Virorum*,” and in the early pages of the German Reformation. The Talmud was not burnt this time. On the contrary, its first complete edition was printed. And in the same year of Grace 1520 A.D., when this first edition went through the press at Venice, Martin Luther burnt the Pope’s bull at Wittenberg.

What is the Talmud ?

Again the question rises before us in its whole formidable shape; a question which no one has yet answered satisfactorily. And we labor in this place under more than one disadvantage. For, quite apart from the difficulties of explaining a work so utterly Eastern, antique, and thoroughly *sui generis*, to our modern Western readers, in the space of a few pages, we labor under the further disability of not being able to refer to the work itself. Would it not indeed be mere affectation to presuppose more than the vaguest acquaintance with its language or even its name in many of our readers? And while we would fain enlarge upon such points as a comparison between the law laid down in it with ours, or with the contemporary



Greek, Roman, and Persian laws, or those of Islam, or even with its own fundamental Code, the Mosaic : while we would trace a number of its ethical, ceremonial, and doctrinal points in Zoroastrianism, in Christianity, in Mohammedanism ; a vast deal of its metaphysics and philosophy in Plato, Aristotle, the Pythagoreans, the Neoplatonists, and the Gnostics—not to mention Spinoza and the Schellings of our own day ; much of its medicine in Hippocrates and Galen, and the Paracelsuses of but a few centuries ago—we shall scarcely be able to do more than to lay a few *disjecta membra* of these things before our readers. We cannot even sketch, in all its bearings, that singular mental movement which caused the best spirits of an entire nation to concentrate, in spite of opposition, all their energies for a thousand years upon the writing, and for another thousand years upon the commenting, of this one book. Omitting all detail, which it has cost much to gather, and more to suppress, we shall merely tell of its development, of the schools in which it grew, of the tribunals which judged by it, of some of the men that set their seal on it. We shall also introduce a summary of its law, speak of its metaphysics, of its moral philosophy, and quote many of its proverbs and saws—the truest of all gauges of a time.

We shall, perhaps, be obliged occasionally to appeal to some of the extraneous topics just mentioned. The Talmud, like every other phenomenon, in order to become comprehensible, should be considered only in connection with things of a

similar kind : a fact almost entirely overlooked to this day. Being emphatically a Corpus Juris, an encyclopædia of law, civil and penal, ecclesiastical and international, human and divine, it may best be judged by analogy and comparison with other legal codes, more especially with the Justinian Code and its Commentaries. What the uninitiated have taken for exceptional “Rabbinical” subtleties, or, in matters relating to the sexes, for gross offences against modern taste, will then cause the Talmud to stand rather favorably than otherwise. The Pandects and the Institutes, the Novellæ and the Responsa Prudentium should thus be constantly consulted and compared. No less should our English law, as laid down in Blackstone, wherein we may see how the most varied views of right and wrong have been finally blended and harmonized with the spirit of our times. But the Talmud is more than a book of laws. It is a microcosm, embracing, even as does the Bible, heaven and earth. It is as if all the prose and the poetry, the science, the faith and speculation of the Old World were, though only in faint reflections, bound up in it *in nuce*. Comprising the time from the rise to the fall of antiquity, and a good deal of its after-glow, the history and culture of antiquity have to be considered in their various stages. But, above all, it is necessary to transport ourselves, following Goethe’s advice, to its birthplace—Palestine and Babylon—the gorgeous East itself, where all things glow in brighter colors, and grow into more fantastic shapes :—



“Willst den Dichter du verstehen,  
Musst in Dichter's Lande gehen.”

The origin of the Talmud is coeval with the return from the Babylonish captivity. One of the most mysterious and momentous periods in the history of humanity is that brief space of the Exile. What were the influences brought to bear upon the captives during that time, we know not. But this we know, that from a reckless, lawless, godless populace, they returned transformed into a band of Puritans. The religion of Zerdusht, though it has left its traces in Judaism, fails to account for that change. Nor does the Exile itself account for it. Many and intense as are the reminiscences of its bitterness, and of yearning for home, that have survived in prayer and in song, yet we know that when the hour of liberty struck, the forced colonists were loth to return to the land of their fathers. Yet the change is there, palpable, unmistakable—a change which we may regard as almost miraculous. Scarcely aware before of the existence of their glorious national literature, the people now began to press round these brands plucked from the fire—the scanty records of their faith and history—with a fierce and passionate love, a love stronger even than that of wife and child. These same documents, as they were gradually formed into a canon, became the immutable centre of their lives, their actions, their thoughts, their very dreams. From that time forth, with scarcely any intermission, the keenest as well as the most poetical minds of the nation remained



fixed upon them. "Turn it and turn it again," says the Talmud, with regard to the Bible, "for everything is in it." "*Search* the Scriptures," is the distinct utterance of the New Testament.

The natural consequence ensued. Gradually, imperceptibly almost, from a mere expounding and investigation for purposes of edification or instruction on some special point, this activity begot a science, a science that assumed the very widest dimensions. Its technical name is already contained in the Book of Chronicles. It is "Midrash" (from *darash*, to study, expound)—a term which the Authorized Version renders by "Story."<sup>1</sup>

There is scarcely a more fruitful source of misconceptions upon this subject than the liquid nature, so to speak, of its technical terms. They mean anything and everything, at once most general and most special. Nearly all of them signify in the first instance simply "study." Next they are used for some one very special branch of this study. Then they indicate, at times a peculiar method, at others the works which have grown out of these either general or special mental labors. Thus Midrash, from the abstract "expounding," came to be applied, first to the "exposition" itself—even as our terms "work, investigation, enquiry," imply both process and product; and finally, as a special branch of exposition—the legendary—was more popular than the rest, to this one branch only and to the books that chiefly represented it.

<sup>1</sup> See 2 Chron. xiii. 22, xxiv. 27.

For there had sprung up almost innumerable modes of "searching the Scriptures." In the quaintly ingenious manner of the times, four of the chief methods were found in the Persian word Paradise, spelt in vowelless Semitic fashion, PRDS. Each one of these mysterious letters was taken, mnemonically, as the initial of some technical word that indicated one of these four methods. The one called P [*peshat*] aimed at the simple understanding of words and things, in accordance with the primary exegetical law of the Talmud, "that no verse of the Scripture ever practically travelled beyond its literal meaning"—though it might be explained, homiletically and otherwise, in innumerable new ways. The second, R [*remes*], means Hint, *i. e.*, the discovery of the indications contained in certain seemingly superfluous letters and signs in Scripture. These were taken to refer to laws not distinctly mentioned, but either existing traditionally or newly promulgated. This method, when more generally applied, begot a kind of *memoria technica*, a stenography akin to the "Notarikon" of the Romans. Points and notes were added to the margins of scriptural MSS., and the foundation of the Massorah, or diplomatic preservation of the text, was thus laid. The third, D [*derush*], was homiletic application of that which had been to that which was and would be, of prophetic and historical dicta to the actual condition of things. It was a peculiar kind of sermon, with all the aids of dialectics and poetry, of parable, gnome, proverb, legend, and the rest, exactly as we



find it in the New Testament. The fourth, S, stood for *sōd*, secret, mystery. This was the Secret Science, into which but few were initiated. It was theosophy, metaphysics, angelology, a host of wild and glowing visions of things beyond earth. Faint echoes of this science survive in Neoplatonism, in Gnosticism, in the Kabbalah, in “Hermes Trismegistus.” But few were initiated into these things of “The Creation” and of “The Chariot,” as it was also called, in allusion to Ezekiel’s vision. Yet here again the power of the vague and mysterious was so strong, that the word Paradise gradually indicated this last branch, the secret science only. Later, in Gnosticism, it came to mean the “Spiritual Christ.”

There is a weird story in the Talmud, which has given rise to the wildest explanations, but which will become intelligible by the foregoing lines. “Four men,” it says, “entered *Paradise*. One beheld and died. One beheld and lost his senses. One destroyed the young plants. One only entered in peace and came out in peace.”—The names of all four are given. They are all exalted masters of the law. The last but one, he who destroyed the young plants, is Elisha ben Abuyah, the Faust of the Talmud, who, while sitting in the academy, at the feet of his teachers, to study the law, kept the “profane books”—of “Homeros,” to wit—hidden in his garment, and from whose mouth “Greek song” never ceased to flow. How he, notwithstanding his early scepticism, rapidly rises to eminence in that same law, finally falls away and be-

comes a traitor and an outcast, and his very name a thing of unutterable horror—how, one day (it was the great day of atonement) he passes the ruins of the temple, and hears a voice within “murmuring like a dove”—“all men shall be forgiven this day save Elisha ben Abuyah, who, knowing me, has betrayed me”—how, after his death the flames will not cease to hover over his grave, until his one faithful disciple, the “Light of the Law,” Meir, throws himself over it, swearing a holy oath that he will not partake of the joys of the world to come without his beloved master, and that he will not move from that spot until his master’s soul shall have found grace and salvation before the Throne of Mercy—all this and a number of other incidents form one of the most stirring poetical pictures of the whole Talmud. The last of the four is Akiba, the most exalted, most romantic, and most heroic character perhaps in that vast gallery of the learned of his time; he who, in the last revolt under Trajan and Hadrian, expiated his patriotic rashness at the hands of the Roman executioners, and—the legend adds—whose soul fled just when, in his last agony, his mouth cried out the last word of the confession of God’s unity:—“Hear, O Israel, the Lord our God is *One*.”

The Talmud is the storehouse of “Midrash,” in its widest sense, and in all its branches. What we said of the fluctuation of terms applies emphatically also to this word Talmud. It means in the first instance nothing but “study,” “learning,” from *lamad*, to learn; next indicating a special



method of "learning" or rather arguing, it finally became the name of the great Corpus Juris of Judaism.

When we speak of the Talmud as a legal code, we trust we shall not be understood too literally. It resembles about as much what we generally understand by that name as a primeval forest resembles a Dutch garden.

Nothing indeed can equal the state of utter amazement into which the modern investigator finds himself plunged at the first sight of these luxuriant Talmudical wildernesses. Schooled in the harmonizing, methodizing systems of the West—systems that condense, and arrange, and classify, and give everything its fitting place and its fitting position in that place—he feels almost stupefied here. The language, the style, the method, the very sequence of things (a sequence that often appears as logical as our dreams), the amazingly varied nature of these things—everything seems tangled, confused, chaotic. It is only after a time that the student learns to distinguish between two mighty currents in the book—currents that at times flow parallel, at times seem to work upon each other, and to impede each other's action: the one emanating from the brain, the other from the heart—the one prose, the other poetry—the one carrying with it all those mental faculties that manifest themselves in arguing, investigating, comparing, developing, bringing a thousand points to bear upon one and one upon a thousand; the other springing from the realms of fancy, of imag-

ination, feeling, humor, and above all from that precious combination of still, almost sad, pensiveness with quick catholic sympathies, which in German is called *Gemüth*. These two currents the Midrash, in its various aspects, had caused to set in the direction of the Bible, and they soon found in it two vast fields for the display of all their power and energy. The logical faculties turned to the legal portions in Exodus, Leviticus, Deuteronomy—developing, seeking, and solving a thousand real or apparent difficulties and contradictions with what, as tradition, had been living in the hearts and mouths of the people from time immemorial. The other—the imaginative faculties—took possession of the prophetic, ethical, historical, and, quaintly enough, sometimes even of the legal portions of the Bible, and transformed the whole into a vast series of themes almost musical in their wonderful and capricious variations. The first-named is called “Halachah” (*Rule, Norm*), a term applied both to the process of evolving legal enactments and the enactments themselves. The other, “Haggadah” (*Legend, Saga*) not so much in our modern sense of the word, though a great part of its contents comes under that head, but because it was only a “saying,” a thing without authority, a play of fancy, an allegory, a parable, a tale, that pointed a moral and illustrated a question, that smoothed the billows of fierce debate, roused the slumbering attention, and was generally—to use its own phrase—a “comfort and a blessing.”

The Talmud, which is composed of these two



elements, the legal and the legendary, is divided into MISHNAH and GEMARA: two terms again of uncertain, shifting meaning. Originally indicating, like the technical words mentioned already, "study," they both became terms for special studies, and indicated special works. The Mishnah, from *shanah* (*tana*), to learn, to repeat, has been of old translated δευτέρωσις, second law. But this derivation, correct as it seems literally, is incorrect in the first instance. It simply means "Learning," like Gemara, which, besides, indicates "complement" to the Mishnah—itsself a complement to the Mosaic code, but in such a manner that in developing and enlarging, it supersedes it. The Mishnah, on its own part again, forms a kind of text to which the Gemara is not so much a scholion as a critical expansion. The Pentateuch remains in all cases the background and latent source of the Mishnah. But it is the business of the Gemara to examine into the legitimacy and correctness of this Mishnic development in single instances. The Pentateuch remained under all circumstances the immutable, divinely given constitution, the *written* law: in contradistinction to it, the Mishnah, together with the Gemara, was called the oral, or "unwritten" law, not unlike the unwritten Greek *Ῥήτραι*, the Roman "Lex Non Scripta," the Sunnah, or our own common law.

There are few chapters in the whole History of Jurisprudence more obscure than the origin, development, and completion of this "Oral Law." There must have existed from the very beginning

of the Mosaic law a number of corollary laws, which explained in detail most of the rules broadly laid down in it. Apart from these, it was but natural that the enactments of that primitive Council of the Desert, the Elders, and their successors in each period, together with the verdicts issued by the later "judges within the gates," to whom the Pentateuch distinctly refers, should have become precedents, and been handed down as such. Apocryphal writings—notably the fourth book of Ezra—not to mention Philo and the Church Fathers, speak of fabulous numbers of books that had been given to Moses together with the Pentateuch: thus indicating the common belief in the divine origin of the supplementary laws that had existed among the people from time immemorial. Jewish tradition traces the bulk of the oral injunctions, through a chain of distinctly-named authorities, to "Sinai" itself. It mentions in detail how Moses communicated those minutiae of his legislation, in which he had been instructed during the mysterious forty days and nights on the Mount, to the chosen guides of the people, in such a manner that they should for ever remain engraven on the tablets of their hearts. .

A long space intervenes between the Mosaic period and that of the Mishnah. The ever growing wants of the ever disturbed commonwealth necessitated new laws and regulations at every turn. A difficulty, however, arose, unknown to other legislations. In despotic states a decree is issued, promulgating the new law. In constitutional



states a Bill is brought in. The supreme authority, if it finds it meet and right to make this new law, makes it. The case was different in the Jewish commonwealth of the post-exilian times. Among the things that were irredeemably lost with the first temple were the "Urim and Thummim" of the high-priest—the oracle. With Malachi the last prophet had died. Both for the promulgation of a new law and the abrogation of an old one, a higher sanction was requisite than a mere majority of the legislative council. The new act must be proved, directly or indirectly, from the "Word of God"—proved to have been promulgated by the Supreme King—hidden and bound up, as it were, in its very letters from the beginning. This was not easy in all cases; especially when a certain number of hermeneutical rules, not unlike those used in the Roman schools (inferences, conclusions from the minor to the major and *vice versâ*, analogies of ideas or objects, general and special statements, etc.), had come to be laid down.

Apart from the new laws requisite at sudden emergencies, there were many of those old traditional ones, for which the *point d'appui* had to be found, when, as established legal matters, they came before the critical eye of the schools. And these schools themselves, in their ever restless activity, evolved new laws, according to their logical rules, even when they were not practically wanted nor likely ever to come into practical use—simply as a matter of science. Hence there is a double action perceptible in this legal development. Either the

scriptural verse forms the terminus *a quo*, or the terminus *ad quem*. It is either the starting-point for a discussion which ends in the production of some new enactment; or some new enactment, or one never before investigated, is traced back to the divine source by an outward "hint," however insignificant.

This process of evolving new precepts from old ones by "signs,"—a word curiously enough used also by Blackstone in his "development" of the law—may in some instances have been applied with too much freedom. Yet, while the Talmudical Code practically differs from the Mosaic as much as our Digest will some day differ from the laws of the time of Canute, and as the Justinian Code differs from the Twelve Tables, it cannot be denied that these fundamental laws have in all cases been consulted, carefully and impartially as to their spirit, their letter being often but the vessel or outer symbol. The often uncompromising severity of the Pentateuch, especially in the province of the penal law, had certainly become much softened down under the milder influences of the culture of later days. Several of its injunctions, which had become impracticable, were circumscribed, or almost constitutionally abrogated, by the introduction of exceptional formalities. Some of its branches also had developed in a direction other than what at first sight seems to have been anticipated. But the power vested in the "judge of those days" was in general most sparingly and conscientiously applied.

This whole process of the development of the



“Law” was in the hands of the “Scribes,” who, according to the New Testament, “sit in the seat of Moses.” We shall speak presently of the “Pharisees” with whom the word is often coupled. Here, meantime, we must once more distinguish between the different meanings of the word “Scribe” at different periods. For there are three stages in the oral compilation of the Talmudical Code, each of which is named after a special class of doctors.

The task of the first class of these masters—the “Scribes” by way of eminence, whose time ranges from the return from Babylon down to the Greco-Syrian persecutions (220 B.C.)—was above all to preserve the sacred Text, as it had survived after many mishaps. They “enumerated” not merely the precepts, but the words, the letters, the signs of the Scripture, thereby guarding it from all future interpolations and corruptions. They had further to explain these precepts, in accordance with the collateral tradition of which they were the guardians. They had to instruct the people, to preach in the synagogues, to teach in the schools. They further, on their own authority, erected certain “Fences,” *i. e.*, such new injunctions as they deemed necessary merely for the better keeping of the old precepts. The whole work of these men (“Men of the Great Synagogue”) is well summed up in their adage: “Have a care in legal decisions, send forth many disciples, and make a fence around the law.” More pregnant still is the motto of their last representative—the only one whose name, besides those of Ezra and Nehemiah, the supposed founders of

this body, has survived—Simon the Just : “On three things stands the world : on law, on worship, and on charity.”

After the “Scribes” — *סופרים* — come the “Learners,” or “Repeaters,” also called Banaïm, “Master-builders”—from 220 B.C. to 220 A.D. In this period falls the Maccabean Revolution, the birth of Christ, the destruction of the temple by Titus, the revolt of Bar-Cochba under Hadrian, the final destruction of Jerusalem, and the total expatriation of the Jews. During this time Palestine was ruled successively by Persians, Egyptians, Syrians, and Romans. But the legal labors that belong to this period were never seriously interrupted. However dread the events, the schools continued their studies. The masters were martyred time after time, the academies were razed to the ground, the practical and the theoretical occupation with the law was proscribed on pain of death—yet in no instance is the chain of the living tradition broken. With their last breath the dying masters appointed and ordained their successors ; for one academy that was reduced to a heap of ashes in Palestine, three sprang up in Babylonia, and the Law flowed on, and was perpetuated in the face of a thousand deaths.

The chief bearers and representatives of these divine legal studies were the President (called Nasi, Prince), and the Vice-President (Ab-Beth-Din = Father of the House of Judgment) of the highest legal assembly, the Synedrion, aramaized into *Sanhedrin*. There were three Sanhedrins : one “Great



Sanhedrin," two "lesser" ones. Whenever the New Testament mentions the "Priests, the Elders, and the Scribes" together, it means the Great Sanhedrin. This constituted the highest ecclesiastical and civil tribunal. It consisted of seventy-one members, chosen from the foremost priests, the heads of tribes and families, and from the "Learned," *i. e.*, the "Scribes" or Lawyers. It was no easy task to be elected a member of this Supreme Council. The candidate had to be a superior man, both mentally and bodily. He was not to be either too young or too old. Above all, he was to be an adept both in the "Law" and in Science.

When people read of "law" "masters," or "doctors of the law," they do not, it seems to us, always fully realize what that word "law" means in Old or rather New Testament language. It should be remembered that, as we have already indicated, it stands for all and every knowledge, since all and every knowledge was requisite for the understanding of it. The Mosaic code has injunctions about the sabbatical journey; the distance had to be measured and calculated, and mathematics were called into play. Seeds, plants, and animals had to be studied in connection with the many precepts regarding them, and natural history had to be appealed to. Then there were the purely hygienic paragraphs, which necessitated for their precision a knowledge of all the medical science of the time. The "seasons" and the feast-days were regulated by the phases of the moon; and astronomy—if

only in its elements—had to be studied. And—as the commonwealth successively came in contact, however much against its will at first, with Greece and Rome,—their history, geography, and language came to be added as a matter of instruction to those of Persia and Babylon. It was only a handful of well-meaning but narrow-minded men, like the Essenes, who would not, for their own part, listen to the repeal of certain temporary “Decrees of Danger.” When Hellenic scepticism in its most seductive form had, during the Syrian troubles, begun to seek its victims even in the midst of the “Sacred Vineyard,” and threatened to undermine all patriotism and all independence, a curse was pronounced upon Hellenism: much as German patriots, at the beginning of this century, loathed the very sound of the French language; or as, not so very long ago, all things “foreign” were regarded with a certain suspicion in England. But, the danger over, the Greek language and culture were restored to their previous high position in both the school and the house, as indeed the union of Hebrew and Greek, “the Talith and the Pallium,” “Shem and Japheth, who had been blessed together by Noah, and who would always be blessed in union,” was strongly insisted upon. We shall return to the polyglot character of those days, the common language of which was an odd mixture of Greek, Aramaic, Latin, Syriac, Hebrew; but the member of the Sanhedrin had to be a good linguist. He was not to be dependent on the possibly tinged version of an interpreter. But



not only was science, in its widest sense, required in him, but even an acquaintance with its fantastic shadows, such as astrology, magic, and the rest, in order that he, as both lawgiver and judge, should be able to enter also into the popular feeling about these widespread "Arts." Proselytes, eunuchs, freedmen, were rigidly excluded from the Assembly. So were those who could not prove themselves the legitimate offspring of priests, Levites, or Israelites. And so, further, were gamblers, betting-men, money-lenders, and dealers in illegal produce. To the provision about the age, viz., that the senator should be neither too far advanced in age "lest his judgment might be enfeebled," nor too young "lest it might be immature and hasty;" and to the proofs required of his vast theoretical and practical knowledge—for he was only by slow degrees promoted from an obscure judgeship in his native hamlet to the senatorial dignity—there came to be added also that wonderfully fine rule, that he must be a married man and have children of his own. Deep miseries of families would be laid bare before him, and he should bring with him a heart full of sympathy.

Of the practical administration of justice by the Sanhedrin we have yet to speak when we come to the Corpus Juris itself. It now behooves us to pause a moment at those "schools and academies" of which we have repeatedly made mention, and of which the Sanhedrin formed, as it were, the crown and the highest consummation. ●

Eighty years before Christ, schools flourished

throughout the length and the breadth of the land ; —education had been made compulsory. While there is not a single term for “school” to be found before the Captivity, there were by that time about a dozen in common usage.<sup>1</sup> Here are a few of the innumerable popular sayings of the period, betokening the paramount importance which public instruction had assumed in the life of the nation : “Jerusalem was destroyed because the instruction of the young was neglected.” “The world is only saved by the breath of the school-children.” “Even for the rebuilding of the Temple the schools must not be interrupted.” “Study is more meritorious than sacrifice.” “A scholar is greater than a prophet.” “You should revere the teacher even more than your father. The latter only brought you into this world, the former indicates the way into the next. But blessed is the son who has learnt from his father ; he shall revere him both as his father and his master ; and blessed is the father who has instructed his son.”

<sup>1</sup> Some of these terms are Greek, like *ἄλσος*, *ἰλεός* : some, belonging to the pellucid idiom of the people, the Aramaic, poetically indicated at times the special arrangement of the small and big scholars, *e. g.* “Array,” “Vineyard” (“where they sat in rows as stands the blooming vine”) : while others are of so uncertain a derivation, that they may belong to either language. The technical term for the highest school, for instance, has long formed a crux for etymologists. It is *Kallah*. This may be either the Hebrew word for “Bride,” a well-known allegorical expression for science, “assiduously to be courted, not lightly to be won, and easily estranged ;” or it may be the slightly mutilated Greek *σχολή*, or it may literally be our own word *University*, from *Kol*, all, universus : *an all-embracing institution of all branches of learning.*



The "High Colleges" or "Kallahs"<sup>1</sup> only met during some months in the year. Three weeks before the term the Dean prepared the students for the lectures to be delivered by the Rector, and so arduous became the task, as the number of the disciples increased, that in time no less than seven Deans had to be appointed. Yet the mode of teaching was not that of our modern universities. The professors did not deliver lectures, which the disciples, like the Student in "Faust," could "comfortably take home in black and white." Here all was life, movement, debate; question was met by counter-question, answers were given wrapped up in allegories or parables, the inquirer was led to deduce the questionable point for himself by analogy—the nearest approach to the Socratic method. The New Testament furnishes many specimens of this contemporary method of instruction.

The highest rank in the estimation of the people was not reserved for the "Priests," about whose real position some extraordinary notions seem still afloat—nor for the "Nobles"—but for these Masters of the Law, the "Wise," the "Disciples of the Wise." There is something almost German in the profound reverence uniformly shown to these representatives of science and learning, however poor and insignificant in person and rank. Many of the most eminent "Doctors" were but humble tradesmen. They were tentmakers, sandalmakers, weavers, carpenters, tanners, bakers, cooks. A

<sup>1</sup> See preceding note.

newly-elected President was found by his predecessor, who had been ignominiously deposed for his overbearing manner, all grimy in the midst of his charcoal mounds. Of all things the most hated were idleness and asceticism; piety and learning themselves only received their proper estimation when joined to healthy bodily work. "It is well to add a trade to your studies; you will then be free from sin."—"The tradesman at his work need not rise before the greatest Doctor."—"Greater is he who derives his livelihood from work than he who fears God"—are some of the most common dicta of the period.

The exalted place thus given to Work, as on the one hand it prevented an abject worship of Learning, so on the other it kept all ascetic eccentricities from the body of the people. And there was always some danger of them at hand. When the Temple lay in ashes, men would no longer eat meat or drink wine. A Sage remonstrated with them, but they replied, weeping: "Once the flesh of sacrifices was burnt upon the Altar of God. The altar is thrown down. Once libations of wine were poured out. They are no more." "But you eat bread; there were bread-offerings." "You are right, Master, we shall eat fruit only." "But the first-fruits were offered up." "We shall refrain from them." "But you drink water, and there were libations of water." And they knew not what to reply. Then he comforted them by the assurance that He who had destroyed Jerusalem had promised to rebuild it, and that proper mourn-



ing was right and meet, but that it must not be of a nature to weaken the body for work.

Another most striking story is that of the Sage who, walking in a market-place crowded with people, suddenly encountered the prophet Elijah, and asked him who, out of that vast multitude, would be saved. Whereupon the prophet first pointed out a weird-looking creature, a turnkey, "because he was merciful to his prisoners;" and next two common-looking tradesmen, who came walking through the crowd, pleasantly chatting. The Sage instantly rushed towards them, and asked them what were their saving works. But they, much puzzled, replied: "We are but poor workmen who live by our trade. All that can be said for us is that we are always of good cheer, and are good-natured. When we meet anybody who seems sad we join him, and we talk to him, and cheer him, so long that he must forget his grief. And if we know of two people who have quarrelled, we talk to them and persuade them, until we have made them friends again. This is our whole life." . . . .

Before leaving this period of Mishnic development, we have yet to speak of one or two things. This period is the one in which Christianity arose; and it may be as well to touch here upon the relation between Christianity and the Talmud—a subject much discussed of late. Were not the whole of our general views on the difference between Judaism and Christianity greatly confused, people would certainly not be so very much surprised at the striking parallels of dogma and parable, of alle-

gory and proverb, exhibited by the Gospel and the Talmudical writings. The New Testament, written, as Lightfoot has it, "among Jews, by Jews, for Jews," cannot but speak the language of the time, both as to form and, broadly speaking, as to contents. There are many more vital points of contact between the New Testament and the Talmud than divines yet seem fully to realize; for such terms as "Redemption," "Baptism," "Grace," "Faith," "Salvation," "Regeneration," "Son of Man," "Son of God," "Kingdom of Heaven," were not, as we are apt to think, invented by Christianity, but were household words of Talmudical Judaism. No less loud and bitter in the Talmud are the protest against "lip-serving," against "making the law a burden to the people," against "laws that hang on hairs," against "Priests and Pharisees." The fundamental mysteries of the new Faith are matters totally apart; but the Ethics in both are, in their broad outlines, identical. That grand dictum, "Do unto others as thou wouldst be done by," against which Kant declared himself energetically from a philosophical point of view, is quoted by Hillel, the President, at whose death Jesus was ten years of age, not as anything new, but as an old and well-known dictum "that comprised the whole Law." The most monstrous mistake has ever been our mixing up, in the first instance, single individuals, or classes, with a whole people, and next our confounding the Judaism of the time of Christ with that of the time of the Wilderness, of the Judges, or even of Abraham, Isaac, and Jacob.



The Judaism of the time of Christ (to which that of our days, owing principally to the Talmud, stands very near), and that of the Pentateuch, are as like each other as our England is like that of William Rufus, or the Greece of Plato that of the Argonauts. It is the glory of Christianity to have carried those golden germs, hidden in the schools and among the "silent community" of the learned, into the market of Humanity. It has communicated that "Kingdom of Heaven," of which the Talmud is full from the first page to the last, to the herd, even to the lepers. The fruits that have sprung from this through the wide world we need not here consider. But the misconception, as if to a God of Vengeance had suddenly succeeded a God of Love, cannot be too often protested against. "Thou shalt love thy neighbor as thyself" is a precept of the Old Testament, as Christ himself taught his disciples. The "Law," as we have seen and shall further see, was developed to a marvellously and perhaps oppressively minute pitch; but only as a regulator of outward actions. The "faith of the heart"—the dogma prominently dwelt upon by Paul—was a thing that stood much higher with the Pharisees than this outward law. It was a thing, they said, not to be commanded by any ordinance: yet was greater than all. "Everything," is one of their adages, "is in the hands of Heaven, save the fear of Heaven."

"Six hundred and thirteen injunctions," says the Talmud, "was Moses instructed to give to the people. David reduced them all to eleven, in the fifteenth Psalm: Lord, who shall

abide in Thy tabernacle, who shall dwell on Thy holy hill? He that walketh uprightly, etc.

“The Prophet Isaiah reduced them to six (xxxiii. 15):—He that walketh righteously, etc.

“The Prophet Micah reduced them to three (vi. 8):—What doth the Lord require of thee but to do justly, and to love mercy, and to walk humbly with thy God?

“Isaiah once more reduced them to two (lvi. 1):—Keep ye judgment and do justice.

“Amos (v. 4) reduced them all to one:—Seek ye me and ye shall live.

“But lest it might be supposed from this that God could be found in the fulfilment of his own law only, Habakkuk said (ii. 4): The just shall live by his Faith.”

Regarding these “Pharisees” or “Separatists” themselves, no greater or more antiquated mistake exists than that of their being a mere “sect” hated by Christ and the Apostles. They were not a sect,—any more than Roman Catholics form a “sect” in Rome, or Protestants a “sect” in England,—and they were not hated so indiscriminately by Christ and the Apostles as would at first sight appear from some sweeping passages in the New Testament. For the “Pharisees,” as such, were at that time—Josephus notwithstanding—simply *the* people, in contradistinction to the “leaven of Herod.” Those “upper classes” of free-thinking Sadducees who, in opposition to the Pharisees, insisted on the paramount importance of sacrifices and tithes, of which they were the receivers, but denied the Immortality of the Soul, are barely mentioned in the New Testament. The wholesale denunciations of “Scribes and Pharisees” have been greatly misunderstood. There can be abso-



lutely no question on this point, that there were among the genuine Pharisees the most patriotic, the most noble-minded, the most advanced leaders of the Party of Progress. The development of the Law itself was nothing in their hands but a means to keep the Spirit as opposed to the Word—the outward frame—in full life and flame, and to vindicate for each time its own right to interpret the temporal ordinances according to its own necessities and requirements. But that there were very many black sheep in their flock—many who traded on the high reputation of the whole body—is matter of reiterated denunciation in the whole contemporary literature. The Talmud inveighs even more bitterly and caustically than the New Testament against what it calls the “Plague of Pharisaism,” “the dyed ones,” “who do evil deeds like Zimri, and require a goodly reward like Phinehas,” “they who preach beautifully, but do not act beautifully.” Parodying their exaggerated logical arrangements, their scrupulous divisions and subdivisions, the Talmud distinguishes seven classes of Pharisees, one of whom only is worthy of that name. These are—1, those who do the will of God from earthly motives; 2, they who make small steps, or say, just wait a while for me; I have just one more good work to perform; 3, they who knock their heads against walls in avoiding the sight of a woman; 4, saints in office; 5, they who implore you to mention some more duties which they might perform; 6, they who are pious because they *fear* God. The real and only Pharisee is he

“who does the will of his father which is in Heaven *because he loves Him.*” Among those chiefly “Pharisaic” masters of the Mishnic period, whose names and fragments of whose lives have come down to us, are some of the most illustrious men, men at whose feet the first Christians sat, whose sayings—household words in the mouths of the people—prove them to have been endowed with no common wisdom, piety, kindness, and high and noble courage: a courage and a piety they had often enough occasion to seal with their lives.

From this hasty outline of the mental atmosphere of the time when the Mishnah was gradually built up, we now turn to this Code itself. The bulk of ordinances, injunctions, prohibitions, precepts,—the old and new, traditional, derived, or enacted on the spur of the moment,—had, after about eight hundred years, risen to gigantic proportions, proportions no longer to be mastered in their scattered, and be it remembered, chiefly unwritten, form. Thrice, at different periods, the work of reducing them to system and order was undertaken by three eminent masters; the third alone succeeded. First by Hillel I., under whose presidency Christ was born. This Hillel, also called the second Ezra, was born in Babylon. Thirst for knowledge drove him to Jerusalem. He was so poor, the legend tells us, that once, when he had not money enough to fee the porter of the academy, he climbed up the window-sill one bitter winter’s night. As he lay there listening, the cold gradually made him insensible, and the



snow covered him up. The darkness of the room first called the attention of those inside to the motionless form without. He was restored to life. Be it observed, by the way, that this was on a Sabbath, as, according to the Talmud, danger *always* supersedes the Sabbath. Even for the sake of the tiniest babe it must be broken without the slightest hesitation, "for the babe will," it is added, "keep many a Sabbath yet for that one that was broken for it."

And here we cannot refrain from entering an emphatic protest against the vulgar notion of the "Jewish Sabbath" being a thing of grim austerity. It was precisely the contrary, a "day of joy and delight," a "feast-day," honored by fine garments, by the best cheer, by wine, lights, spice, and other joys of pre-eminently bodily import: and the highest expression of the feeling of self-reliance and independence is contained in the adage, "Rather live on your Sabbath as you would on a week-day, than be dependent on others." But this only by the way.


About 30 B.C. Hillel became President. Of his meekness, his piety, his benevolence, the Talmudical records are full. A few of his sayings will characterize him better than any sketch of ours could do. "Be a disciple of Aaron, a friend of peace, a promoter of peace, a friend of all men, and draw them near unto the law." "Do not believe in thyself till the day of thy death." "Do not judge thy neighbor until thou hast stood in his place." "Whosoever does not increase in

knowledge decreases.” “Whosoever tries to make gain by the crown of learning perishes.” Immediately after the lecture he used to hurry home. Once asked by his disciples what caused him to hasten away, he replied he had to look after his guest. When they pressed him for the name of his guest, he said that he meant his soul, which was here to-day and there to-morrow. One day a heathen went to Shammai, the head of the rival academy, and asked him mockingly to convert him to the law while he stood on one leg. The irate master turned him from his door. He then went to Hillel, who received him kindly and gave him that reply—since so widely propagated,—“Do not unto another what thou wouldst not have another do unto thee. This is the whole Law, the rest is mere commentary.” Very characteristic is also his answer to one of those “wits” who used to plague him with their silly questions. “How many laws are there?” he asked Hillel. “Two,” Hillel replied, “one written and one oral.” Whereupon the other, “I believe in the first, but I do not see why I should believe in the second.” “Sit down,” Hillel said. And he wrote down the Hebrew alphabet. “What letter is this?” he then asked, pointing to the first. “This is an Aleph.” “Good, the next?” “Beth.” “Good again. But how do you know that this is an Aleph and this a Beth?” “Thus,” the other replied, “we have learnt from our ancestors.” “Well,” Hillel said, “as you have accepted this in good faith, accept also the other.” To his mind the necessity of arranging and simpli-



fyng that monstrous bulk of oral traditions seems to have presented itself first with all its force. There were no less than some six hundred vaguely floating sections of it in existence by that time. He tried to reduce them to six. But he died, and the work commenced by him was left untouched for another century. Akiba, the poor shepherd who fell in love with the daughter of the richest and proudest man in all Jerusalem, and through his love, from a clown became one of the most eminent doctors of his generation, nay, "a second Moses," came next. But he too was unsuccessful. His legal labors were cut short by the Roman executioner. Yet the day of his martyrdom is said to have been the day of the birth of him who, at last, did carry out the work,—Jehuda, the Saint, also called "Rabbi" by way of eminence. About 200 A.D., the redaction of the whole unwritten law into a code, though still unwritten, was completed after the immense efforts, not of one school, but of all, not through one, but many methods of collection, comparison, and condensation.

When the code was drawn up, it was already obsolete in many of its parts. More than a generation before the Destruction of the Temple, Rome had taken the penal jurisdiction from the Sanhedrin. The innumerable injunctions regarding the temple-service, the sacrifices, and the rest, had but an ideal value. The agrarian laws for the most part applied only to Palestine, and but an insignificant fraction of the people had remained faithful to the desecrated land. Nevertheless the whole



Code was eagerly received as their text-book by the many academies both in Palestine and in Babylonia, not merely as a record of past enactments, but as laws that at some time or other, with the restoration of the commonwealth, would come into full practice as of yore.

The Mishnah is divided into six sections. These are subdivided again into 11, 12, 7, 9 (or 10), 11, and 12 chapters respectively, which are further broken up into 524 paragraphs. We shall briefly describe their contents:

“Section I., *Seeds*: of Agrarian Laws, commencing with a chapter on Prayers. In this section the various tithes and donations due to the Priests, the Levites, and the poor, from the products of the lands, and further the Sabbatical year, and the prohibited mixtures in plants, animals, and garments, are treated of.

“Section II., *Feasts*: of Sabbaths, Feast and Fast days, the work prohibited, the ceremonies ordained, the sacrifices to be offered, on them. Special chapters are devoted to the Feast of the Exodus from Egypt, to the New Year's Day, to the Day of Atonement (one of the most impressive portions of the whole book), to the Feast of Tabernacles, and to that of Haman.

“Section III., *Women*: of betrothal, marriage, divorce, etc.; also of vows.

“Section IV, *Damages*: including a great part of the civil and criminal law. It treats of the law of trover, of buying and selling, and the ordinary monetary transactions. Further, of the greatest crime known to the law, viz., idolatry. Next of witnesses, of oaths, of legal punishments, and of the Sanhedrin itself. This section concludes with the so-called ‘Sentences of the Fathers,’ containing some of the sublimest ethical dicta known in the history of religious philosophy.

“Section V., *Sacred Things*: of sacrifices, the first-born, etc.; also of the measurements of the Temple (*Middoth*).



“Section VI., *Purifications* : of the various levitical and other hygienic laws, of impure things and persons, their purification, etc.”

There is, it cannot be denied, more symmetry and method in the Mishnah than in the Pandects ; although we have not found that minute logical sequence in its arrangement which Maimonides and others have discovered. In fact, we do not believe that we have it in its original shape. But, as far as the single treatises are concerned, the Mishnah is for the most part free from the blemishes of the Roman Code. There are, unquestionably, fewer contradictory laws, fewer repetitions, fewer interpolations, than in the Digests, which, notwithstanding Tribonian's efforts, abound with so-called “Geminations,” “*Leges fugitivæ*,” “*errativæ*,” and so forth ; and, as regards a certain outspokenness in bodily things, it has at last been acknowledged by all competent authorities that its language is infinitely purer than that, for instance, of the medieval casuists.

The regulations contained in these six treatises are of very different kinds. They are apparently important and unimportant, intended to be permanent or temporary. They are either clear expansions of Scriptural precepts, or independent traditions, linked to Scripture only hermeneutically. They are “decisions,” “fences,” “injunctions,” “ordinances,” or simply “Mosaic Halachah from Sinai”—much as the Roman laws consist of “*Senatusconsulta*,” “*Plebiscita*,” “*Edicta*,” “*Responsa Prudentium*,” and the rest. Save in points

of dispute, the Mishnah does not say when and how a special law was made. Only exceptionally do we read the introductory formula "N. N. has borne witness," "I have heard from N. N.," etc.; for nothing was admitted into the Code but that which was well authenticated first. There is no difference made between great laws and little laws—between ancient and new Halachah. Every precept traditionally received or passed by the majority becomes, in a manner, a religious, divinely sanctioned one, although it was always open to the subsequent authorities to reconsider and to abrogate; as, indeed, one of the chief reasons against the writing down of the Code, even after its redaction was just this, that it should never become fixed and immutable. That the Mishnah was appealed to for all practical purposes, in preference to the "Mosaic" law, seems clear and natural. Do we generally appeal in our law-courts to the Magna Charta?

This uniform reverence for all the manifold contents of the Mishnah is best expressed in the redactor's own words—the motto to the whole collection—"Be equally conscientious in small as in great precepts, for ye know not their individual rewards. Compute the earthly loss sustained by the fulfilment of a law by the heavenly reward derived through it; and the gain derived from a transgression by the punishment that is to follow it. Also contemplate three things, and ye shall not fall into sin: Know what is above ye—an eye that seeth, an ear that heareth, and all your works are written in a book."



The tone and tenor of the Mishnah is, except in the one special division devoted to Ethics, emphatically practical. It does not concern itself with Metaphysics, but aims at being merely a civil code. Yet it never misses an opportunity of inculcating those higher ethical principles which lie beyond the strict letter of the law. It looks more to the "intention" in the fulfilment of a precept than to the fulfilment itself. He who claims certain advantages by the letter of the law, though the spirit of humanity should urge him not to insist upon them, is not "beloved by God and man." On the other hand, he who makes good by his own free will demands which the law could not have enforced; he, in fact, who does not stop short at the "Gate of Justice," but proceeds within the "line of mercy," in him the "spirit of the wise" has pleasure. Certain duties bring fruits (interest) in this world; but the real reward, the "capital," is paid back in the world to come: such as reverence for father and mother, charity, early application to study, hospitality, doing the last honor to the dead, promoting peace between man and his neighbor. The Mishnah knows nothing of "Hell." For all and any transgressions there were only the fixed legal punishments, or a mysterious sudden "visitation of God"—the scriptural "rooting out." Death atones for all sins. Minor transgressions are redeemed by repentance, charity, sacrifice, and the day of atonement. Sins committed against man are only forgiven when the injured man has had full amends made and declares himself reconciled. The high-

est virtue lies in the study of the law. It is not only the badge of high culture (as was of old the case in England), but there is a special merit bound up in it that will assist man both in this and in the world to come. Even a bastard who is learned in it is more honored than a high-priest who is not.

To discuss these laws, their spirit, and their details, in this place, we cannot undertake. But this much we may say, that it has always been the unanimous opinion of both friends and foes that their general character is humane in the extreme: in spite of certain harsh and exceptional laws, issued in times of danger and misery, of revolution and reaction; laws, moreover, which for the most part never were and never could be carried into practice. There is an almost modern liberality of view regarding the "fulfilment of the Law" itself, expressed by such frequent adages as "The Scripture says: 'he shall live by them'—that means, he shall not *die through them*. They shall not be made pitfalls or burdens to him, that shall make him hate life." "He who carries out these precepts to the full is declared to be nothing less than a Saint." "The law has been given to men, and not to angels."

Respecting the practical administration of justice, a sharp distinction is drawn by the Mishnah between the civil and criminal law. In both the most careful investigation and scrutiny is required; but while in the former three judges are competent, a tribunal of no less than twenty-three is required for the latter. The first duty of the civil



judges is always—however clear the case—to urge an agreement. “When,” says the Talmud, “do justice and goodwill meet? When the contending parties are made to agree peaceably.” There were both special local magistrates and casual “justices of peace,” chosen *ad hoc* by the parties. Payment received for a decision annuls the decision. Loss of time only was allowed to be made good in case of tradesmen-judges. The plaintiff, if proved to have asked more than his due, with a view of thus obtaining his due more readily, was nonsuited. Three partners in an action must not divide themselves into one plaintiff and two witnesses. The Judge must see that both parties are pretty equally dressed, *i.e.*, not one in fine garments, the others in rags; and he is further particularly cautioned not to be biassed *in favor of the poor against the rich*. The Judge must not hear anything of the case, save in the presence of both parties. Many and striking are also the admonitions regarding the Judge. “He who unjustly hands over one man’s goods to another, he shall pay God for it with his own soul.” “In the hour when the Judge sits in judgment over his fellow-men, he shall feel, as it were, a sword pointed at his own heart.” “Woe unto the Judge who, convinced in his mind of the unrighteousness of a cause, tries to throw the blame on the witnesses. From *him* God will ask an account.” “When the parties stand before you, look upon both as guilty; but when they are dismissed, let them both be innocent in thine eyes, for the decree has gone forth.”

It would not be easy to find a more humane, almost refined, penal legislation, from the days of the old world to our own. While in civil cases—whenever larger tribunals (juries) had to be called in—a majority of one is sufficient for either acquittal or condemnation; in criminal cases a majority of one acquits, but a majority of two is requisite for condemnation. All men are accepted in the former as witnesses—always except gamblers (*κρυβεία*—dice-players), betting-men (“pigeon-flyers”), usurers, dealers in illegal (seventh year’s) produce, and slaves, who were disqualified from “judging and bearing witness”—either for the plaintiff or the defendant; but it is only for the defence that everybody, indiscriminately, is heard in criminal cases. The cross-examination of the witnesses was exceedingly strict. The formula (containing at once a whole breviary for the Judge himself), with which the witnesses were admonished in criminal cases was of so awful and striking a nature, that “swearing a man’s life away” became an almost unheard-of occurrence :—

“How is one,” says the Mishnah, “to awe the witnesses who are called to testify in matters of life and death? When they are brought into Court, they are charged thus: Perchance you would speak from conjecture or rumor, as a witness from another witness—having heard it from ‘some trustworthy man’—or perchance you are not aware that we shall proceed to search and to try you with close questions and searching scrutiny. Know ye that not like trials about money are trials over life and death. In trials of money a man may redeem his guilt by money, and he may be forgiven. In trials of life, the blood not only of him who has been falsely condemned will hang over the



false witness, but also that of the seed of his seed, even unto the end of the world; for thus we find that when Cain killed his brother, it is said, 'The voice of thy brother's blood is crying to me from the ground.' The word blood stands there in the plural number, to indicate to you that the blood of him, together with that of his seed, has been shed. Adam was created alone, to show you that he who destroys one single life will be called to account for it, as if he had destroyed a whole world. . . . But, on the other hand, ye might say to yourselves, What have we to do with all this misery here? Remember, then, that Holy Writ has said (Lev. v. 1), 'If a witness hath seen or known, if he do not utter, he shall bear his iniquity.' But perchance ye might say, Why shall we be guilty of this man's blood? Remember, then, what is said in Proverbs (xi. 10), 'In the destruction of the wicked there is joy.' "

The "Lex Talionis" is unknown to the Talmud. Paying "measure for measure," it says, "is in God's hand only." Bodily injuries inflicted are to be redeemed by money; and here again the Pharisees had carried the day against the Sadducees, who insisted upon the literal interpretation of the "eye for eye." The extreme punishments, "flagellation" and "death," as ordained in the Mosaic Code, were inflicted in a humane manner unknown, as we have said, not only to the contemporary courts of antiquity, but even to those of Europe up to within the last generation. Thirty-nine was the utmost number of strokes to be inflicted: but—the "loving one's neighbor like oneself" being constantly urged by the Penal Code itself, even with regard to criminals—if the life of the culprit was in the least degree endangered this number was at once reduced. However numerous the delinquent's transgressions, but one punishment could

be decreed for them all. Not even a fine and flagellation could be pronounced on the same occasion.

The care taken of human life was extreme indeed. The judges of capital offences had to fast all day, nor was the sentence executed on the day of the verdict, but it was once more subjected to scrutiny by the Sanhedrin the next day. Even to the last some favorable circumstance that might turn the scale in the prisoner's favor was looked for. The place of execution was at some distance from the Court, in order that time might be given to a witness or the accused himself for naming any fresh fact in his favor. A man was stationed at the entrance to the Court, with a flag in his hand, and at some distance another man, on horseback, was stationed, in order to stop the execution instantly if any favorable circumstance should still come to light. The culprit himself was allowed to stop four or five times, and to be brought back before the judges, if he had still something to urge in his defence. Before him marched a herald, crying, "The man N. N., son of N. N., is being led to execution for having committed such and such a crime; such and such are the witnesses against him; whosoever knows aught to his favor, let him come and proclaim it." Ten yards from the place of execution they said to him, "Confess thy sins; every one who confesses has part in the world to come; for thus it is written of Achan, to whom Joshua said, My son, give now glory to the God of Israel." If he "could not" offer any formal confession, he need



only say, "May my death be a redemption for all my sins." To the last the culprit was supported by marks of profound and awful sympathy. The ladies of Jerusalem formed a society which provided a beverage of mixed myrrh and vinegar, that, like an opiate, benumbed the man when he was being carried to execution.

There were four kinds of capital punishment,—stoning, burning, slaying with the sword, and strangling. Crucifixion is utterly unknown to the Jewish law. "The house of stoning" was two stories high, "stoning" in the Mishnah being merely a term for breaking the culprit's neck. It was the part of the chief witness to precipitate the criminal with his own hand. If he fell on his breast he was turned on his back; if the fall had not killed him on the spot, the second witness had to cast a stone on his heart; if he still survived, then and then only, the whole people hastened his death by casting stones upon him. The modes of strangling and burning were almost identical: in both cases the culprit was immersed to his waist in soft mud, and two men by tightening a cord *wrapped in a soft cloth* round his neck, caused instantaneous suffocation. In the "burning" a lighted wick was thrown down his throat when he opened his mouth at his last breath. The corpse was buried in a special place appropriated to criminals. After a time, however, the bones were gathered together and transferred to the burial-place of the culprit's kin. The relations then visited the judges and the witnesses, "as much as

to say, we bear no malice against you, for a righteous judgment have ye judged." The ordinary ceremonies of outer mourning were not observed in such cases, but lamentation was not prohibited during the first period of grief—"for sorrow is from the heart." There was no confiscation of the culprit's goods.

Practically, capital punishment was abrogated even before the Romans had taken it out of the hands of the Sanhedrin. Here again the humanizing influences of the "Traditions" had been at work, commuting the severe Mosaic Code. The examination of witnesses had been made so rigorous that a sentence of capital punishment became almost impossible. When the guilt had, notwithstanding all these difficulties, been absolutely brought home, some formal flaw was sure to be found, and the sentence was commuted to imprisonment for life. The doctors of a later period, notably Akiba, who, in the midst of his revolutionary dreams of a new Independence, kept his eye steadily on a reform of the whole jurisdiction, did not hesitate to pronounce openly for the abolition of capital punishment. A Court which had pronounced one sentence of death in seven, or even seventy years, received the name of "Court of Murderers."

So far the Mishnah, that brief abstract of about eight hundred years' legal production. Jehudah, the "Redactor," had excluded all but the best authenticated traditions, as well as all discussion and exegesis, unless where particularly necessary. The



vast mass of these materials was now also collected, as a sort of apocryphal oral code. We have, dating from a few generations after the redaction of the official Mishnah, a so-called external Mishnah (*Boraita*); further the discussions and additions belonging by rights to the Mishnah, called *Tosefta* (Supplement); and, finally, the exegesis and methodology of the Halachah (*Sifri*, *Sifra*, *Mechilta*), much of which was afterwards embodied in the Talmud.

The Mishnah, being formed into a code, became in its turn what the Scripture had been, a basis of development and discussion. It had to be linked to the Bible, it became impregnated with and obscured by speculations, new traditions sprang up, new methods were invented, casuistry assumed its sway—as it did in the legal schools that flourished at that period at Rome, at Alexandria, at Berytus,—and the *Gemara* ensued. A double *Gemara*: one, the expression of the schools in Palestine, called that of Jerusalem, redacted at Tiberias (not at Jerusalem) about 390 A.D., and written in what may be called “East Aramæan;” the other, redacted at Syra in Babylonia, edited by R. Ashe (365–427 A.D.). The final close of this codex, however, the collecting and sifting of which took just sixty years, is due to the school of the “Saboraim” at the end of the fifth century A.D. The Babylonian *Gemara* is the expression of the academies of Syra, Nchardea, Pum-Veditha, Mahusa, and other places, during six or seven generations of continuous development. This “Babylonian” Talmud is couched in “Western Aramæan.”

Neither of the two codes was written down at first and neither has survived in its completeness. Whether there ever was a double Gemara to all the six or even the first five divisions of the Mishnah (the sixth having early fallen into disuse), is at least very doubtful. Much, however, that existed has been lost. The Babylonian Talmud is about four times as large as that of Jerusalem. Its thirty-six treatises now cover, in our editions, printed with the most prominent commentaries (Rashi and Tosafoth), exactly 2947 folio leaves in twelve folio volumes, the pagination of which is kept uniform in almost all editions. If, however, the extraneous portions are subtracted, it is only about ten or eleven times as large as the Mishnah, which was redacted just as many generations before the Talmud.

How the Talmud itself became by degrees what the Mishnah had been to the Gemara, and what the Scripture had been to the early Scribes, viz. a Text; how the "Amoraim" (speakers), "Saboraim," and "Gaonim," those Epigoni of the "Scribes," made it the centre of their activity for centuries; what endless commentaries, dissertations, expositions, responses, novellæ, abstracts, etc., grew out of it, we cannot here tell. Only this much we will add, that the Talmud, as such, was never formally accepted by the nation, by either General or Special Council. Its legal decisions, as derived from the highest authorities, certainly formed the basis of the religious law, the norm of all future decisions: as undoubtedly the



Talmud is the most trustworthy canon of Jewish tradition. But its popularity is much more due to an extraneous cause. During the persecutions against the Jews in the Persian empire, under Jesdegerd II., Firuz, and Kobad, the schools were closed for about eighty years. The living development of the law being stopped, the book obtained a supreme authority, such as had probably never been dreamt of by its authors. Need we add that what authority was silently vested in it belonged exclusively to its legal portions? The other, the "haggadistic" or legendary portion, was "poetry," a thing beloved by women and children and by those still and pensive minds which delight in flowers and in the song of wild birds. The "Authorities" themselves often enough set their faces against it, repudiated it and explained it away. But the people clung to it, and in course of time gave to it and it alone the encyclopædic name of "Midrash."

We have now to say a few words respecting the language in which these documents are couched, as furnishing an additional key to the mode of life and thoughts of the period.

The language of the Mishnah is as pure a Hebrew as can be expected in those days. The people themselves spoke, as we mentioned above, a corrupt Chaldee or Aramaic, mixed with Greek and Latin. Many prayers of the period, the Targums, the Gemaras, are conceived in that idiom. Even the Mishnah itself could not exclude these all-pervading foreign elements. Many legal terms,

many names of products, of heathen feasts, of household furniture, of meat and drink, of fruits and garments, are borrowed from the classical languages. Here is a curious addition to the curious history of words! The bread which the Semites had cast upon the waters, in the archaic Phœnician times, came back to them after many days. If they had given to the early Greeks the names for weights and measures,<sup>1</sup> for spice and aromas,<sup>2</sup> every one of which is Hebrew: if they had imported the “sapphire, jasper, emerald,” the fine materials for garments,<sup>3</sup> and the garments themselves—as indeed the well-known χιτῶν is but the Hebrew name for Joseph’s coat in the Bible—if the musical instruments,<sup>4</sup> the plants, vessels, writing materials, and last, not least, the “alphabet” itself, came from the Semites: the Greek and Latin idioms repaid them in the Talmudical period with full interest, to the great distress of the later scholiasts and lexicographers. The Aramaic itself was, as we said, the language of the common people. It was, in itself, a most pellucid and picturesque idiom, lending itself admirably not only to the epigrammatic terseness of the Gemara, but also to those profoundly poetical conceptions of the daily phenomena, which had penetrated even into the cry of the watchmen, the pass-

<sup>1</sup> μνᾶ, χάδος, δραχμή.

<sup>2</sup> μύρρα, κιννάμωμον, κασία, νάρδος, βάλσαμον, ἀλόη, κρόκος, etc.

<sup>3</sup> βύσσος, κάρπασος, σινδών.

<sup>4</sup> νάβλα, κινύρα, σαμβύκη, etc.



word of the temple-guards, and the routine-formula of the levitical functionary. Unfortunately, it was too poetical at times. Matters of a purely metaphysical nature, which afterwards grew into dogmas through its vague phraseology, assumed very monstrous shapes indeed. But it had become in the hands of the people a mongrel idiom; and, though gifted with a fine feeling for the distinguishing characters of each of the languages then in common use ("Aramaic lends itself best to elegies, Greek to hymns, Hebrew to prayer, Roman to martial compositions," as a common saying has it), they yet mixed them all up, somewhat in the manner of the Pennsylvanians of to-day. After all, it was but the faithful reflex of those who made this idiom an enduring language. These "Masters of the Law" formed the most mixed assembly in the world. There were not only natives of all the parts of the world-wide Roman empire among them, but also denizens of Arabia and India; a fact which accounts for many phenomena in the Talmud. But there is hardly anything of domestic or public purport, which was not called either by its Greek or Latin name, or by both, and generally in so questionable a shape, and in such obsolete forms, that both classical and Semitic scholars have often need to go through a whole course of archæology and antiquities before unravelling it.<sup>1</sup> Save only one province, that of agricul-

<sup>1</sup> Greek or Latin, or both, were the terms commonly employed by them for the table (*τραπέζα*, *tabula*, *τρισκελής*, *τρίπους*), the chair, the bench, the cushion (*subsellium*, *accu-*

ture. This alone, together with some other trades, had retained the old homely Semitic words: thereby indicating, not, as ignorance might be led to conclude, that the nation was averse to it, but exactly the contrary: that from the early days of Joshua they had never ceased to cherish the thought of sitting under their own vine and fig-tree. We refer for this point to the idyllic picture given in the Mishnah of the procession that went up to Jerusalem with the first-fruits, accompanied by the sound of the flute, the sacrificial bull with gilt horns and an olive-garland round his head proudly marching in front.

The Talmud does, indeed, offer us a perfect picture of the cosmopolitanism and luxury of those final days of Rome, such as but few classical or postclassical writings contain. We find mention made of Spanish fish, of Cretan apples, Bithynian cheese, Egyptian lentils and beans, Greek and Egyptian pumpkins, Italian wine, Median beer, Egyptian Zypus: garments were imported from bitum), the room in which they lived and slept (*χοίτων, εὐσθή, ἔξεδρα*), the cup (*cyathus, phiala patoria*), out of which they drank, the eating and drinking itself (*œnogarum, collyra, παροψίς, γλεῦχος, acraton, opsonium, etc.*). Of their dress we have the *στολή, sagum, dalmatica, braccæ, chirodota*. On their head they wore a pileus, and they girded themselves with a ζώνη. The words *sandalium, solea, soleus, talaria, impilia*, indicate the footgear. Ladies adorned themselves with the *catella, cochlear, πόρπη*, and other sorts of rings and bracelets, and in general whatever appertained to a Greek or Roman lady's fine apparel. Among the arms which the man wore are mentioned the *λόγχη*, the spear, the *μάχαιρα* (a word found in Genesis), the pugio.



Pelusium and India, shirts from Cilicia, and veils from Arabia. To the Arabic, Persian, and Indian materials contained, in addition to these, in the Gemara, a bare allusion may suffice. So much we venture to predict, that when once archæological and linguistic science shall turn to this field, they will not leave it again soon.

We had long pondered over the best way of illustrating to our readers the extraordinary manner in which the "Haggadah," that second current of the Talmud, of which we spoke in the introduction, suddenly interrupts the course of the "Halachah,"—when we bethought ourselves of the device of an old master. It was a hot Eastern afternoon, and while he was expounding some intricate subtlety of the law, his hearers quietly fell away in drowsy slumbers. All of a sudden he burst out: "There was once a woman in Egypt who brought forth at one birth six hundred thousand men." And our readers may fancy how his audience started up at this remarkable tale of the prolific Egyptian woman. Her name, the master calmly proceeded, was Jochebed, and she was the mother of Moses, who was worth as much as all those six hundred thousand armed men together who went up from Egypt. The Professor then, after a brief legendary digression, proceeded with his legal intricacies, and his hearers slept no more that afternoon. An Eastern mind seems peculiarly constituted. Its passionate love for things wise and witty, for stories and tales, for parables and apologues, does not leave it even in its most

severe studies. They are constantly needed, it would appear, to keep the current of its thoughts in motion ; they are the playthings of the grown-up children of the Orient. The Haggadah, too, has an exegesis, a system, a method of its own. They are peculiar, fantastic things. We would rather not follow too closely its learned divisions into homiletical, ethical, historical, general and special Haggadah.

The Haggadah in general transforms Scripture, as we said, into a thousand themes for its variations. Everything being bound up in the Bible—the beginning and the end—there must be an answer in it to all questions. Find the key, and all the riddles in it are solved. The persons of the Bible—the kings and the patriarchs, the heroes and the prophets, the women and the children, what they did and suffered, their happiness and their doom, their words and their lives—became, apart from their presupposed historical reality, a symbol and an allegory. And what the narrative had omitted, the Haggadah supplied in many variations. It filled up these gaps, as a prophet looking into the past might do ; it explained the motives ; it enlarged the story ; it found connections between the remotest countries, ages, and people, often with a startling realism ; it drew sublime morals from the most commonplace facts. Yet it did all this by quick and sudden motions, to us most foreign ; and hence the frequent misunderstanding of its strange and wayward moods.

Passing strange, indeed, are the ways of this



Prophetess of the Exile, who appears wherever and whenever she listeth, and disappears as suddenly. Well can we understand the distress of mind in a medieval divine, or even in a modern *savant*, who, bent upon following the most subtle windings of some scientific debate in the Talmudical pages—geometrical, botanical, financial, or otherwise—as it revolves round the Sabbath journey, the raising of seeds, the computation of tithes and taxes—feels, as it were, the ground suddenly give way. The loud voices grow thin, the doors and walls of the school-room vanish before his eyes, and in their place uprises Rome the Great, the Urbs et Orbis, and her million-voiced life. Or the blooming vineyards round that other City of Hills, Jerusalem the Golden herself, are seen, and white-clad virgins move dreamily among them. Snatches of their songs are heard, the rhythm of their choric dances rises and falls : it is the most dread Day of Atonement itself, which, in poetical contrast, was chosen by the “Rose of Sharon” as a day of rejoicing to walk among those waving lily-fields and vine-clad slopes. Or the clarion of rebellion rings high and shrill through the complicated debate, and Belshazzar, the story of whose ghastly banquet is told with all the additions of maddening horror, is doing service for Nero the bloody ; or Nebuchadnezzar, the Babylonian tyrant, and all his hosts, are cursed with a yelling curse—à *propos* of some utterly inappropriate legal point ; while to the initiated he stands for Titus the—at last exploded—“Delight of Humanity.” The symbols and hieroglyphs of

the Haggadah, when fully explained some day, will indeed form a very curious contribution to the unwritten history of man. Often—far too often for the interests of study and the glory of the human race—does the steady tramp of the Roman cohort, the password of the revolution, the shriek and clangor of the bloody field, interrupt these debates, and the arguing masters and disciples don their arms, and, with the cry “Jerusalem and Liberty,” rush to the fray.

Those who look with an eye of disfavor upon all these extraneous matters as represented by the Haggadah in the Talmud—the fairy tales and the jests, the stories and the parables, and all that strange agglomeration of foreign things crystallized around the legal kernel—should remember, above all, one fact. As this tangled mass lies before us, it represents at best a series of photographic slides, half broken, mutilated and faded: though what remains of them is startlingly faithful to the original. As the disciple had retained, in his memory or his quick notes, the tenor of the single debates, interspersed with the thousand allusions, reminiscences, *aperçus*, facts, quotations, and the rest, so he perpetuated it—sometimes well, sometimes ill. If well, we have a feeling as if, after a long spell of musings or ponderings, we were trying to retrace the course of our ideas—and the most incongruous things spring up and disappear, apparently without rhyme or reason. And yet there is a deep significance and connection in them. Creeping or flying, melodious or grating,



they carry us on ; and there is just this difference in the Talmudical wanderings, that they never lose themselves. Suddenly, when least expected, the original question is repeated, together with the answer, distilled as it were out of these thousand foreign things of which we did not always see the drift. If ill reported, the page becomes like a broken dream, a half-transparent palimpsest. Would it perhaps have been better if a wise discretion had guided the hands of the first redactors? We think not. The most childish of trifles, found in an Assyrian mound, is of value to him who understands such things, and who from them may deduce a number of surprisingly important results.

We shall devote the brief space that remains to this Haggadah. And for a general picture of it we shall refer to Bunyan, who, speaking of his own book, which—*mutatis mutandis*—is very Haggadistic, unknowingly describes the Haggadah as accurately as can be :

“ . . . . Would'st thou divert thyself from melancholy?  
 Would'st thou be pleasant, yet be far from folly?  
 Would'st thou read riddles and their explanation?  
 Or else be drowned in thy contemplation?  
 Dost thou love picking meat? Or would'st thou see  
 A man i' the clouds, and hear him speak to thee?  
 Would'st thou be in a dream, and yet not sleep?  
 Or, would'st thou in a moment laugh and weep?  
 Would'st lose thyself, and catch no harm?  
 And find thyself again without a charm?  
 Would'st read thyself, and read thou know'st not what?  
 And yet know whether thou art blest or not  
 By reading the same lines? O then come hither,  
 And lay this book, thy head and heart together. . . .

We would not reproach those who, often with the best intentions in the world, have brought almost the entire Haggadistic province into disrepute. We really do not wonder that the so-called "rabbinical stories," that have from time to time been brought before the English public, have not met with the most flattering reception. The Talmud, which has a drastic word for every occasion, says, "They dived into an ocean and brought up a potsherd." First of all, these stories form only a small item in the vast mass of allegories, parables, and the like that make up the Haggadah. And they were partly ill-chosen, partly badly rendered, and partly did not even belong to the Talmud, but to some recent Jewish story-book. Herder—to name the most eminent judge of the "Poetry of Peoples,"—has extolled what he saw of the genuine specimens in transcendental terms. And in truth not only is the entire world of pious biblical legend which Islam has said and sung in its many tongues, to the delight of the wise and simple for twelve centuries, now to be found either in embryo or fully developed in the Haggadah, but much that is familiar among ourselves in the circles of mediæval sagas, in Dante, in Boccaccio, in Cervantes, in Milton, in Bunyan, has consciously or unconsciously flowed out of this wondrous realm, the Haggadah. That much of it is overstrained, even according to Eastern notions, we do not deny. But there are feeble passages even in Homer and Shakspeare, and there are always people with a happy instinct of picking out the weakest portions of a work;



while even the best pages of Shakspeare and Homer are apt to be spoiled by awkward manipulation. At the same time we are far from advising a wholesale translation of these Haggadistic productions. Nothing could be more tedious than a continuous course of such reading, though choice bits from them would satisfy even the most fastidious critic. And such bits, scattered through the Talmud, are delightfully refreshing.

It is, unfortunately, not in our power to indicate any specimens of its strikingly keen interpretations, of its gorgeous dreams, its—

“ Beautiful old stories,  
 Tales of angels, fairy legends,  
 Stilly histories of martyrs,  
 Festal songs and words of wisdom ;  
 Hyperboles, most quaint it may be,  
 Yet replete with strength, and fire,  
 And faith—how they gleam,  
 And glow and glitter! . . . ”

as Heine has it.

It seems of more moment to call attention to a entirely new branch of investigation, namely, Talmudical metaphysics and ethics, such as may be gleaned from the Haggadah, of which we shall now take a brief glance.

Beginning with the Creation, we find the gradual development of the Cosmos fully recognized by the Talmud. It assumes destruction after destruction, stage after stage. And in their quaintly ingenious manner the Masters refer to the verse in Genesis, “ And God saw all that he had made, and behold it was very good,” and to that other in Eccles. iii.

II, "God created everything in its proper season;" and argue "He created worlds upon worlds, and destroyed them one after the other, until He created this world. He then said, "This pleases me, the others did not;"—"in its proper season"—"it was not meet to create *this* world until now."

The Talmud assumes some original substance, itself created by God, out of which the Universe was shaped. There is a perceptible leaning to the early Greek schools. "One or three things were before this world: Water, Fire, and Wind: Water begat the Darkness, Fire begat Light, and Wind begat the spirit of Wisdom." The *How* of the creation was not even matter of speculation. The co-operation of angels, whose existence was warranted by Scripture, and a whole hierarchy of whom had been built up under Persian influences, was distinctly denied. In a discussion about the day of their creation it is agreed, on all hands, that there were no angels at first, "lest men might say 'Michael spanned out the firmament on the south and Gabriel to the north.'" There is a distinct foreshadowing of the gnostic Demiurgos—that antique link between the Divine Spirit and the World of Matter—to be found in the Talmud. What with Plato were the Ideas, with Philo the Logos, with the Kabbalists the "World of Aziluth," what the Gnostics called more emphatically the wisdom (*σοφία*) or power (*δύναμις*), and Plotinus the *νοῦς*, that the Talmudical Authors call Metatron.<sup>1</sup> The angels—whose names, according to the Talmud

<sup>1</sup> This name is most probably nothing but Mithra.



itself, the Jews brought back from Babylon—play, after the exile, a very different part from those before the exile. They are, in fact, more or less Persian : as are also for the most part all incantations, the magical cures, the sidereal influences, and the rest of the “heathen” elements contained in the Talmud. Even the number of the Angelic Princes is seven, like that of the *Amesha-Ŗpeñtas*, and their Hebrew names and their functions correspond, as nearly as can be, to those of their Persian prototypes, who, on their own part, have only at this moment been discovered to be merely allegorical names for God’s supreme qualities. Much as the Talmudical authorities inveigh against those “heathen ways,” sympathetic cures, the exorcisms of demons, the charms, and the rest, the working of miracles, very much in vogue in those days, yet they themselves were drawn into large concessions to angels and demons. Besides the seven Angel Princes, there are hosts of ministering angels—the Persian *Yazatas*—whose functions, besides that of being messengers, are two-fold : to praise God and to be guardians of man. In their first capacity they are daily created by God’s breath out of a stream of fire that rolls its waves under the divine throne. As guardian angels (Persian *Fra-vashis*) two of them accompany every man, and for every new good deed man acquires a new guardian angel, who always watches over his steps. When the righteous dies, three hosts of angels meet him. One says (in the words of Scripture) “He shall go in peace,” the second takes up the strain and

says, "Who has walked in righteousness," and the third concludes, "Let him come in peace and rest upon his bed." If the wicked leaves the world, three hosts of wicked angels come to meet him.<sup>1</sup>

With regard to the providential guidance of the Universe, this was in God's hand alone. As He is the sole Creator and Legislator, so also is He the sole arbiter of destinies. "Every nation," the Talmud says, "has its special guardian angel, its horoscopes, its ruling planets and stars. But there is no planet for Israel. Israel shall look but to Him. There is no mediator between those who are called His children, and their Father which is in Heaven." The Jerusalem Talmud—written under the direct influence of Roman manners and customs, has the following parable: "A man has a patron. If some evil happens to him, he does not enter suddenly into the presence of this patron, but he goes and stands at the door of his house. He does not ask for the patron, but for his favorite slave, or his son, who then goes and tells the master inside: The man N. N. is standing at the gate of the hall, shall he come in or not?—Not so the Holy, praised be He. If misfortune comes upon a man, let him not cry to Michael and not to Gabriel, but unto Me let him cry, and I will answer him right speedily—as

<sup>1</sup> This science of angels and demons (*Shedim* = Pers. *Dævas*)—links between men and angels, or rather personified passions—which flourished very vigorously at the beginning of Christianity, is, altogether, one of the most interesting, particularly with regard to the striking parallels it offers between Judaism, Christianity, Islam, and Zoroastrianism: but we forbear to enlarge upon it.



it is said, Every one who shall call on the name of the Lord shall be saved."

The end and aim of Creation is man, who, therefore, was created last, "when everything was ready for his reception." When he has reached the perfection of virtue "he is higher than the angels themselves."

Miracles are considered by the Talmud—much as Leibnitz regards all the movements of every limb of our body—as only possible through a sort of "prestabilitated harmony," *i. e.*, the course of creation was not disturbed by them, but they were all primevally "existing," "pre-ordained." They were "created" at the end of all other things, in the gloaming of the sixth day. Among them, however, was—and this will interest our palæographers—also the art of writing: an invention considered beyond all arts: nothing short of a miracle. Creation, together with these so-called exceptions, once established, nothing could be altered in it. The Laws of Nature went on by their own immutable force, however much evil might spring therefrom. "These wicked ones not only vulgarize my coin," says the Haggadah with reference to the propagation of the evil-doers and their kin, bearing the human face divine, "but they actually make me impress base coin with my own stamp."

God's real name is ineffable; but there are many designations indicative of his qualities, such as the Merciful (Rachman, a name of frequent occurrence both in the Koran and in the Talmud), the Holy One, the Place, the Heavens, the Word, Our

Father which is in Heaven, the Almighty, the Shechinah, or Sacred Presence.

The doctrine of the soul bears more the impress of the Platonic than of the Aristotelian school. It is held to be pre-existing. All souls that are ever to be united to bodies have been created once for all, and are hidden away from the first moment of creation. They, being creatures of the highest realms, are cognizant of all things, but, at the hour of their birth in a human body, an angel touches the mouth of the child, which causes it to forget all that has been. Very striking is the comparison between the soul and God, a comparison which has an almost pantheistic look. "As God fills the whole universe," says the Haggadah, "so the soul fills the whole body; as God sees and is not seen, so the soul sees and is not seen; as God nourishes the whole universe, so the soul nourishes the whole body; as God is pure, so the soul is pure." This purity is specially dwelt upon in contradistinction to the theory of hereditary sin, which is denied. "There is no death without individual sin, no pain without individual transgression. That same spirit that dictated in the Pentateuch: 'And parents shall not die for their children, nor the children for their parents,' has ordained that no one should be punished for another's transgressions." In the judgment on sin the *animus* is taken into consideration. The desire to commit the vice is held to be more wicked than the vice itself.

The fear of God, or a virtuous life, the whole aim and end of a man's existence, is entirely in



man's hand. "Everything is in God's hand save the fear of God." But "one hour of repentance is better than the whole world to come." The fullest liberty is granted in this respect to every human being, though the help of God is necessary for carrying it out.

The dogma of the Resurrection and of Immortality, vaguely indicated in the various parts of the Old Testament, has been fixed by the Talmud, and traced to several biblical passages. Various are the similes by which the relation of this world to the world to come is indicated. This world is like unto a "Prosdora" to the next : "Prepare thyself in the hall, that thou mayest be admitted into the palace:" or, "This world is like a roadside inn (*hospitium*), but the world to come is like the real home." The righteous are represented as perfecting themselves and developing all their highest faculties even in the next world ; "for the righteous there is no rest, neither in this world nor in the next, for they go, say the Scriptures, from host to host, from striving to striving :—they will see God in Zion." How all its deeds and the hour when they were committed are unfolded to the sight of the departed soul, the terrors of the grave, the rolling back to Jerusalem on the day of the great trumpet, we need not here tell in detail. These half-metaphysical half-mystical speculations are throughout in the manner of the more poetical early Church fathers of old and of Bunyan in our times. Only the glow of imagination and the conciseness of language in which they are mostly told in the Talmud contrast favor-

ably with the verboseness of later times. The Resurrection is to take place by the mystic power of the "Dew of Life" in Jerusalem—on Mount Olivet, add the Targums.

There is no everlasting damnation according to the Talmud. There is only a temporary punishment even for the worst sinners. "Generations upon generations" shall last the damnation of idolaters, apostates, and traitors. But there is a space of "only two fingers' breadth between Hell and Heaven;" the sinner has but to repent sincerely and the gates to everlasting bliss will spring open. No human being is excluded from the world to come. Every man, of whatever creed or nation, provided he be of the righteous, shall be admitted into it. The punishment of the wicked is not specified, as indeed all the descriptions of the next world are left vague, yet, with regard to Paradise, the idea of something inconceivably glorious is conveyed at every step. The passage, "Eye has not seen nor has ear heard," is applied to its unspeakable bliss. "In the next world there will be no eating, no drinking, no love and no labor, no envy, no hatred, no contest. The Righteous will sit with crowns on their heads, glorying in the Splendor of God's Majesty."

The essence of prophecy gives rise to some speculation. One decisive Talmudical dictum is, that God does not cause his spirit to rest upon any one but a strong, wise, rich, and humble man. Strong and rich are in the Mishnah explained in this wise: "Who is strong? He who subdues his passion.



Who is rich? He who is satisfied with his lot." There are degrees among prophets. Moses saw everything clearly; the other prophets as in dark mirrors. "Ezekiel and Isaiah say the same things, but Isaiah like a town-bred man, Ezekiel like a villager." The prophet's word is to be obeyed in all things, save when he commands the worship of idolatry. The notion of either Elijah or Moses having in reality ascended "to Heaven" is utterly repudiated, as well as that of the Deity (Shechinah) having descended from Heaven "more than ten hands' breadth."

The "philosophy of religion" will be best comprehended by some of those "small coins," the popular and pithy sayings, gnomes, proverbs, and the rest, which, even better than street songs, characterize a time. With these we shall conclude. We have thought it preferable to give them at random as we found them,<sup>1</sup> instead of building up from them a system of "Ethics" or "Duties of the Heart." We have naturally preferred the better and more characteristic ones that came in our

<sup>1</sup> With regard to the striking parallels exhibited by them to some of the most sublime dicta of the Gospels, we disclaim any intention of having purposely selected them. It is utterly impossible to read a page of the Talmud and of the New Testament without coming upon innumerable instances of this kind, as indeed they constantly seem to supplement each other. We need not urge the priority of the Talmud to the New Testament, although the former was redacted at a later period. To assume that the Talmud has borrowed from the New Testament would be like assuming that Sanskrit sprang from Latin, or that French was developed from the Norman words found in English.

way. We may add—a remark perhaps not quite superfluous—that the following specimens, as well as the quotations which we have given in the course of this article, have been all translated by us, as literally as possible, from the Talmud itself.

“Be thou the cursed, not he who curses. Be of them that are persecuted, not of them that persecute. Look at Scripture: there is not a single bird more persecuted than the dove; yet God has chosen her to be offered up on his altar. The bull is hunted by the lion, the sheep by the wolf, the goat by the tiger. And God said, ‘Bring me a sacrifice, not from them that persecute, but from them that are persecuted.’—We read (Ex. xvii. 11) that while, in the contest with Amalek, Moses lifted up his arms, Israel prevailed. Did Moses’s hands make war or break war? But this is to tell you that as long as Israel are looking upwards and humbling their hearts before their Father which is in Heaven, they prevail; if not, they fall. In the same way you find (Num. xxi. 9), ‘And Moses made a serpent of brass, and put it upon a pole: and it came to pass, that if a serpent had bitten any man, when he beheld the serpent of brass, he lived.’ Dost think that a serpent killeth or giveth life? But as long as Israel are looking upwards to their Father which is in Heaven they will live; if not, they will die.—‘Has God pleasure in the meat and blood of sacrifices?’ asks the prophet. No; He has not so much ordained as permitted them. It is for yourselves, he says, not for me that you offer. Like a king, who sees his son carousing daily with all manner of evil companions: You shall henceforth eat and drink entirely at your will at my own table, he says. They offered sacrifices to demons and devils, for they loved sacrificing, and could not do without it. And the Lord said, ‘Bring your offerings to Me; you shall then at least offer to the true God.’—Scripture ordains that the Hebrew slave who ‘loves’ his bondage, shall have his ear pierced against the door-post. Why? because it is that ear which heard on Sinai, ‘They are My servants, they shall not be sold as bondsmen:’—



They are *My* servants, not servants' servants. And this man voluntarily throws away his precious freedom—'Pierce his ear!'—'He who sacrifices a whole offering, shall be rewarded for a whole offering; he who offers a burnt-offering, shall have the reward of a burnt-offering; but he who offers humility unto God and man, shall be rewarded with a reward as if he had offered all the sacrifices in the world.'—The child loves its mother more than its father. It fears its father more than its mother. See how the Scripture makes the father precede the mother in the injunction, 'Thou shalt love thy father and thy mother;' and the mother, when it says, 'Honor thy mother and thy father.'—Bless God for the good as well as the evil. When you hear of a death say, 'Blessed is the righteous Judge.'—Even when the gates of heaven are shut to prayer, they are open to those of tears.—Prayer is Israel's only weapon, a weapon inherited from its fathers, a weapon tried in a thousand battles.—When the righteous dies, it is the earth that loses. The lost jewel will always be a jewel, but the possessor who has lost it—well may he weep.—Life is a passing shadow, says the Scripture. Is it the shadow of a tower, of a tree? A shadow that prevails for a while? No, it is the shadow of a bird in his flight—away flies the bird and there is neither bird nor shadow.—Repent one day before thy death. There was a king who bade all his servants to a great repast, but did not indicate the hour: some went home and put on their best garments and stood at the door of the palace; others said, There is ample time, the king will let us know beforehand. But the king summoned them of a sudden; and those that came in their best garments were well received, but the foolish ones, who came in their slovenliness, were turned away in disgrace. Repent to-day, lest to-morrow ye might be summoned.—The aim and end of all wisdom are repentance and good works.—Even the most righteous shall not attain to so high a place in Heaven as the truly repentant.—The reward of good works is like dates: sweet and ripening late.—The dying benediction of a sage to his disciples was: I pray for you that the fear of Heaven may be as strong upon you as the fear of man. You avoid sin before the face of the latter: avoid it



before the face of the All-seeing.—‘If your God hates idolatry, why does he not destroy it?’ a heathen asked. And they answered him: Behold, they worship the sun, the moon, the stars; would you have him destroy this beautiful world for the sake of the foolish?—If your God is a ‘friend of the poor,’ asked another, why does he not support them? Their case, a sage answered, is left in our hands, that we may thereby acquire merits and forgiveness of sin. But what a merit it is! the other replied; suppose I am angry with one of my slaves, and forbid him food and drink, and some one goes and gives it him furtively, shall I be much pleased? Not so, the other replied. Suppose you are wroth with your only son and imprison him without food, and some good man has pity on the child, and saves him from the pangs of hunger, would you be so very angry with the man? And we, if we are called servants of God, are also called his children.—He who has more learning than good works is like a tree with many branches but few roots, which the first wind throws on its face; whilst he whose works are greater than his knowledge is like a tree with many roots and fewer branches, but which all the winds of heaven cannot uproot.

“Love your wife like yourself, honor her more than yourself. Whosoever lives unmarried, lives without joy, without comfort, without blessing. Descend a step in choosing a wife. If thy wife is small, bend down to her and whisper into her ear. He who forsakes the love of his youth, God’s altar weeps for him. He who sees his wife die before him has, as it were, been present at the destruction of the sanctuary itself—around him the world grows dark. It is woman alone through whom God’s blessings are vouchsafed to a house. She teaches the children, speeds the husband to the place of worship and instruction, welcomes him when he returns, keeps the house godly and pure, and God’s blessings rest upon all these things. He who marries for money, his children shall be a curse to him.—The house that does not open to the poor shall open to the physician. The birds in the air even despise the miser. He who gives charity in secret is greater than Moses himself. Honor the sons of the poor, it



is they who bring science into splendor.—Let the honor of thy neighbor be to thee like thine own. Rather be thrown into a fiery furnace than bring any one to public shame.—Hospitality is the most important part of Divine worship. There are three crowns : of the law, the priesthood, the kingship ; but the crown of a good name is greater than they all.—Iron breaks the stone, fire melts iron, water extinguishes fire, the clouds drink up the water, a storm drives away the clouds, man withstands the storm, fear unmans man, wine dispels fear, sleep drives away wine, and death sweeps all away—even sleep. But Solomon the Wise says : Charity saves from Death.—How can you escape sin ? Think of three things : whence thou comest, whither thou goest, and to whom thou wilt have to account for all thy deeds : even to the King of Kings, the All Holy, praised be He.—Four shall not enter Paradise : the scoffer, the liar, the hypocrite, and the slanderer. To slander is to murder.—The cock and the owl both await the daylight. The light, says the cock, brings delight to me, but what are you waiting for ?—When the thief has no opportunity for stealing, he considers himself an honest man.—If thy friends agree in calling thee an ass, go and get a halter around thee.—Thy friend has a friend, and thy friend's friend has a friend : be discreet.—The dog sticks to you on account of the crumbs in your pocket.—He in whose family there has been one hanged should not say to his neighbor, Pray, hang this little fish up for me.—The camel wanted to have horns, and they took away his ears.—The soldiers fight, and the kings are the heroes.—The thief invokes God while he breaks into the house.—The woman of sixty will run after music like one of six.—After the thief runs the theft ; after the beggar, poverty.—While thy foot is shod, smash the thorn.—When the ox is down, many are the butchers.—Descend a step in choosing a wife, mount a step in choosing a friend.—If there is anything bad about you, say it yourself.—Luck makes rich, luck makes wise.—Beat the gods, and the priests will tremble.—Were it not for the existence of passions, no one would build a house, marry a wife, beget children, or do any work.—The sun will go down all by himself, without your assistance.—The world could not well get on without perfumers and with-



out tanners : but woe unto the tanner, well to the perfumer !  
—Fools are no proof.—No man is to be made responsible for words which he utters in his grief.—One eats, another says grace.—He who is ashamed will not easily commit sin. There is a great difference between him who is ashamed before his own self and him who is only ashamed before others. It is a good sign in man to be capable of being ashamed. One contrition in man's heart is better than many flagellations.—If our ancestors were like angels, we are like men ; if our ancestors were like men, we are like asses.—Do not live near a pious fool.—If you wish to hang yourself, choose a big tree.—Rather eat onions and sit in the shadow, and do not eat geese and poultry if it makes thy heart uneasy within thee. —A small stater (coin) in a large jar makes a big noise.—A myrtle, even in a desert, remains a myrtle.—When the pitcher falls upon the stone, woe unto the pitcher ; when the stone falls upon the pitcher, woe unto the pitcher : whatever befalls, woe unto the pitcher.—Even if the bull have his head deep in his trough, hasten upon the roof, and drag the ladder after you.—Get your living by skinning carcasses in the street, if you cannot otherwise, and do not say, I am a priest, I am a great man ; this work would not befit my dignity.—Youth is a garland of roses, age is a crown of thorns.—Use a noble vase even for one day—lest it break to-morrow.—The last thief is hanged first.—Teach thy tongue to say, I do not know.—The heart of our first ancestors was as large as the largest gate of the Temple, that of the later ones like that of the next large one ; ours is like the eye of a needle.—Drink not, and you will not sin.—Not what you say about yourself, but what others say.—Not the place honors the man, but the man the place.—The cat and the rat make peace over a carcass.—A dog away from his native kennel dares not bark for seven years.—He who walks daily over his estates finds a little coin each time.—He who humiliates himself will be lifted up ; he who raises himself up will be humiliated. Whosoever runs after greatness, greatness runs away from him ; he who runs from greatness, greatness follows him.—He who curbs his wrath, his sins will be forgiven. - Whosoever does not persecute them that persecute him, whosoever takes an offence in



silence, he who does good because of love, he who is cheerful under his sufferings—they are the friends of God, and of them the Scripture says, And they shall shine forth as does the sun at noonday.—Pride is like idolatry. Commit a sin twice, and you will think it perfectly allowable.—When the end of a man is come, everybody lords it over him.—While our love was strong, we lay on the edge of a sword; now it is no longer strong, a sixty-yard-wide bed is too narrow for us.—A Galilean said: When the shepherd is angry with his flock, he appoints to it a blind bell-wether.—The day is short and the work is great; but the laborers are idle, though the reward be great, and the master of the work presses. It is not incumbent upon thee to complete the work: but thou must not therefore cease from it. If thou hast worked much, great shall be thy reward: for the master who employed thee is faithful in his payment. But know that the true reward is not of this world.” . . . .

Solemnly, as a warning and as a comfort, this adage strikes on our ear:—“And it is not incumbent upon thee to complete the work.” When the Masters of the Law entered and left the academy they used to offer up a short but fervent prayer, in which we would fain join at this moment—a prayer of thanks that they had been able to carry out their task thus far; and a prayer further “that no evil might arise at their hands, that they might not have fallen into error, that they might not declare pure that which was impure, impure that which was pure, and that their words might be pleasing and acceptable to God and to their fellow-men.”

# NOTES OF A LECTURE ON THE TALMUD<sup>1</sup>

MR. DEUTSCH began his lecture by speaking of the various and contradictory ideas people had about the Talmud : some believing it to be almost divine : others that it was nothing but folly and childishness. Those who investigated the book were, he said, like those explorers sent by Moses into the Promised Land, the majority of whom returned with tales of iron walls and monstrous giants, while a few came back carrying a huge bunch of delicious grapes. Many were the striking and poetical similes suggested by that strange work, such as an ocean, or a buried city ; but speaking of it strictly as a book, the nearest approach to it was Hansard. Like Hansard, it is a law-book : a miscellaneous collection of Parliamentary debates, of bills, motions, and resolutions ; with this difference that in Hansard these propositions, bills, and motions, gradually grow into an Act : while in the Talmud the Act is the starting-point, and the debates its consequence. The disquisitions in the Talmud seek to evolve the reasons for the Act out of Scripture, of which itself is a development and an outgrowth ; while at the same time, supplementary paragraphs are constantly drawn out of its

<sup>1</sup> Delivered on Friday evening, May 15, 1868, at the Royal Institution of Great Britain, Albemarle Street.



own legal text. These bills or Acts are called the *Mishnah*, both collectively and individually ; the discussions, *Gemara* ; both together, Talmud.

The Talmud, however, contains a vast deal more than Hansard : it is not confined to strictly legal matters. All those manifold assemblies wherein a people's mental, social, and religious life are considered and developed, are here represented. Parliament, Convocation, Law-Courts, Academies, Colleges, the Temple and the Synagogue—even the Lobby and the Common Room have left realistic traces upon it. The authors of this book, who may be counted by hundreds, were always the most prominent men of the people in their respective generations ; and thus undesignedly and designedly show the fulness and the various phases of this people's life and progress at every turn.

The Talmud, in this wise, contains besides the social, criminal, international, human and divine Law, along with abundant explanations of Laws not perfectly comprehended, corollaries and inferences from the Law, that were handed down with more or less religious reverence, an account also of the education, the arts, the science, the history, and religion of this people for about a thousand years : most fully perhaps of the time immediately preceding and following the birth of Christianity. It shows us the teeming streets of Jerusalem, the tradesman at his work, the women in their domestic circle, even the children at play in the market-place. The Priest and the Levite ministering in their holy sites, the preacher on the hillside sur-

rounded by the multitude, even the story-teller in the bazaar : they all live, move and have their being in these pages. Nor is it Jerusalem or even the hallowed soil of Judæa alone, but the whole antique world that seems to lie embalmed in it ; we find here the most curious notices of the religion of Zoroaster—how it gradually was restored to its original status ; as if all things which had dropped out of the records of antique humanity had taken refuge in the Talmud.

Athens and Alexandria, Persia and Rome, their civilizations and religions old and new are represented at every turn. That cosmopolitanism which for good or evil has ever been the characteristic trait of the Jewish people, and which was, in fact, the highest type of teaching, is most vividly represented in this book. One of the most striking historical points is their always coming in contact, generally against their will, with the most prominent nations, exactly at the moment when the latter seem to have reached the highest point of culture in their own development. Passing over the three different stages of the people as Hebrews, Israelites, Jews—names which have a distinct significance—we find them connected with Chaldea, Egypt, Phœnicia, Assyria, Babylonia, Persia, Greece, Rome, Arabia. Yet that cosmopolitanism never for one moment interfered with the most marked mental individuality. There always remained the one central sun, the Bible : around this ever revolved that great Cosmos, the Talmud—wild and vague, though it may be—and from it, as shown in the *Gemara*, the *Mishnah* is begotten.



The Talmud has been harshly dealt with, more owing to the blunders of friends than of foes. Some people have supposed that whatever any Jew wrote was a Talmud: others have spoken of it as a revelation, and claimed inspiration for it. The fact is, that what each of these men wrote was purely his own: and no one of them would have claimed more for them than that they were his own utterances. And it was only because some of the laws or injunctions in it were attributed to Moses on Mount Sinai, that any sort of divinity was predicated of it.

As to its "dates," nothing can be more authentic than the memory of the East. The Talmud has been preserved with absolute authenticity in the memory of doctors and disciples, in the same way as many Brahmins and Parsee priests can repeat, without the variation of a single accent, entire Vedas and other chapters of their sacred books, although without the slightest conception of their contents, and wholly ignorant of their meaning. The same was true of the followers of Zoroaster. At the same time, there is no doubt, that much was written down by way of note by scribes, who yet did not venture upon the work of redaction. What alterations there are in the Talmud are owing to censors who changed passages that were supposed to clash with Christianity, and produced the most singular obscurities. The censor's work was fruitless, for in reality there was nothing in the genuine Talmud to be taken out.

But indeed we have, apart from the clearest and

most irrefutable evidences of witnesses, all the ordinary internal evidences of history. We have an array of carefully preserved historical names and dates from beginning to end ; names and dates, the general faithfulness and truth of which have never yet been called into question. From the Great Synagogue down to the final completion of the Babylonian Gemara, we have the legal and philosophical development of the nation always embodied as it were in the successive principal schools and men of their times. Its chief importance for religious history is the manner in which it informs us of things and circumstances at the time of the birth of Christianity, among the Priests and Pharisees, of the education, synagogues, preaching, of women, of angels and demons, etc. It gives us the ethical sayings, the parables, gnomes, etc., which were the principal vehicle of the common Jewish teaching from an almost pre-historic period. These sayings were often tender, poetical, sublime : but they were not absolutely *new* : there was not one that was not substantially contained in the canonical and uncanonical writings of the Old Testament.

Here also, we find the first cry of separation between Church and State : the first antagonism or contest of ceremonialism and free investigation. The Priests were the representatives of a privileged class, and, it must always be remembered, of one family. The first revolt against this system we have in the story of Korah. It was doubtless good for the Jews at that time, and for centuries after



that revolt was quelled : they could scarcely have got on without the Sacrifices, Temple, and all its concomitants ; but after the Babylonian captivity, when idolatry had died out, learning became of higher moment. The Priests had sadly deteriorated as a body, with some bright exceptions, since the days of the Maccabees, when they by an accident suddenly found themselves in political power. From being, as Moses intended them to be, the receivers of the people's free gifts, their messengers—not mediators—and their teachers, they had become, chiefly in the upper strata, an encroaching and ignorant faction. The ordinary priests had mostly sunk into mere local functionaries of the Temple, while many of the High Priests, who in their later days *bought* their sacred office from the ruling foreign power, had forgotten the very elements of that Bible which they had been especially appointed to teach. But a strong re-action set in. The Pharisees, in view of the clouds that they saw gathering round the Commonwealth, had but one cry—Education : catholic, compulsory and gratuitous. The watchwords resounding from one end of the Talmud to the other are the words, “learn—teach ; teach—learn.” The Priesthood, the Sacrifices, the Temple, as they all went down at one sudden blow, seemed scarcely to leave a gap in the religious life of the nation. The Pharisees had long before undermined these things, or rather transplanted them into the people's homes and heart. Every man in Israel, they said, is a priest, every man's house a temple, every man's table an

altar, every man's prayer his sacrifice. Long before the Temple fell, it had been virtually superseded by hundreds of synagogues, schools, and colleges, where laymen read and expounded the Law and the Prophets. The Priest as such, or the Levite, played but a very insignificant part in the synagogue and school. The function of pronouncing the "Benediction" on certain occasions, and a kind of vague "precedence" was all that the synagogue had preserved of the former high estate of the sons of Aaron. Yet on the other hand, many of these men, having lost their former privileges, applied themselves all the more vigorously to study, and to the great national work of Education. Nor was there any real personal antagonism between the "pharisaical" or "popular" party, and the descendants of the "sacred" tribe and family. There is on the contrary a legend, one of the most cherished of all the legends (as usual faithfully interpreting the people's real feeling), which tells how, when the enemy entered the Holy of Holies, the Priests and Levites, led by the venerable High Priest himself, bearing aloft the golden key of the sanctuary, were seen ascending to the highest summit, and then precipitating themselves, with all the tokens and emblems of their sacred trust, into the blazing ruins of the Temple—rather than deliver them up to the conquerors!

Strenuously and indefatigably, we have said, the Pharisees advocated education; and by their unceasing efforts, hundreds of synagogues, colleges, and schools arose, not only in Judæa, but through-



out the whole Roman Empire. Over Judæa, after many unsuccessful attempts, education was made compulsory everywhere except in Galilee. Peculiar circumstances arising out of its geographical position behind Samaria and Phœnicia, had reduced that beautiful country to be the Bœotia of Palestine. The faulty pronunciation of its inhabitants was the standing joke of the witty denizens of the metropolis. After the fall of Jerusalem, however, this was altered ; and Galilee became in her turn the seat of some of the most exalted Academies.

The regulations and provisions for public instruction were extremely strict and minute. The number of children allotted to one teacher, the school buildings and their sites, the road even that led to them, everything was considered ; no less the age of the pupils and the duties of the parents with regard to preliminary preparation and continuous domestic supervision of their tasks. The subjects, the method, the gradual weaning even of the pupil into a teacher or helpmate of his fellow-pupils—all these things are carefully exposed in the Talmud. Above all is the great principle *Non multa sed multum*, the motto of all schooling in the Talmud. Good fundamental grounding, elementary *maternal* teaching, and constant repetition are some of the chief principles laid down. The teachers, in most cases, taught gratuitously : considering theirs a holy and godly office, for which the reward would surely not fail them. The relation between master and disciple was generally that of father and child, or friend and friend.

Next to Law, Ethics, History, and Grammar—Languages were one of the principal subjects of study. We hear of Coptic, Aramaic, Persian, Median, Latin, but above all Greek. The terms in which this last language is spoken of verge indeed on the transcendental. This also is the only language which it seems to have been incumbent to teach even to girls. Medicine was another necessary subject of instruction: the hygienic laws and the anatomical knowledge (bound up with religion) transmitted to us in the book show indeed no small proficiency for its time. Mathematics and astronomy formed another part of instruction, and were indeed considered indispensable. We hear of men to whom the ways of the stars in the skies were as familiar as the streets of their native city, and others who could compute the number of drops in the ocean, who foretold the appearance of comets, etc. Next came Natural History, chiefly Botany and Zoology. The highest point, however, was reached in Jurisprudence, which formed the most extensive and thoroughly national study.

The chief aim and end of all learning—the Talmud is never tired of repeating—is *doing*. All knowledge is but a step to “modesty and the fear of heaven;” and innumerable are the parables whereby this lesson is inculcated. After briefly adverting to Prayers and Sermons and the whole worship of Temple and Synagogue at the time of Christ, the speaker turned to the “political” portions of the “Law” under consideration, and having pointed out how almost the modern theory of



constitutionalism was contained in it, briefly touched upon the relationship between Royalty, State, and subjects and the provisions for taxes, for war, the legislative and judicial powers, etc. Both this, the legal, and the other, the ethical part of the book—so closely intertwined that they can hardly be separated—may be said to grow out chiefly of one fundamental axiom of the Talmud, viz., the utter and absolute equality of all men and the obligation to “follow God,” by imitating the mercy attributed to Him by Scripture. No book can possibly point out in stronger language than the Talmud does, the extreme sinfulness of sin.

Next the speaker alluded to the holy influence exercised by the women, of whom the Talmud not only records the noblest deeds, but whom, even as the angels themselves, it makes at times the bearers of most sublime thoughts. Regarding the latter, it was shown at some length how both they and their counterparts “the demons” were—though partly adopted from Persian or rather Zoroastrian metaphysics—made the vehicles of national Jewish doctrines. Indeed, all those pantheistic and dualistic principles which the people had gathered from the creed of other nations, were transformed under the skilful hand of the Talmudical masters into strictly monotheistic elements, by being either idealized into abstract notions of right and wrong, or surrounded by a poetical halo which deprived them of any real existence. Thus Satan (Sammael, the “Primeval Serpent”), though mythologically his functions are precisely similar

to those of the Persian "Evil Spirit," *i.e.*, those of Seducer, Accuser, and Angel of Death, is yet explained away philosophically as meaning merely "Passion," which seduces, produces remorse, and kills. The demons are said to have masks before their faces, which fall only when the sin is committed; it is then only that, as bitter self-reproaches, they surround the sinner on all sides. Another instance of this is the legend of Isaac, in which "Satan," as the Angel of Death, appears first as an accuser of Abraham (as of Job) before God, next as a seducer to Abraham in the garb of an old man, to Isaac in that of a youth, finally to Sarah, informing her of the danger in which her son had been placed. There is also the legend of the death of Moses, in which Satan, eager to vanquish the "divine man," is thwarted by God's Name even to the end.

In the same manner Asmodeus (the Persian Aêshma), "Lilith," and the rest of the demoniacal powers, as well as those allegorical monsters, the "Leviathans," the "Cocks," the "Bulls," and the rest of the ever-repeated reproaches to the Talmud, have to play their instructive part. All these are taken almost bodily from the Zendavesta, which in itself represents more or less a protest against the Vedic faith. They are either reduced into their original meanings in the Talmud, or they are ridiculed and made to inculcate some moral lesson. On the other hand the famous "Sea Fairy Tales," taken from Vedic sources, are made into guises of political, if not religious satires. When the Per-



sians broke off from the Indians, the good gods of the old system became the bad gods of the new, and *vice versa*.

After dwelling on the causes of the obscurity of some of the matters found in the Talmud and their apparent want of dignity—occasioned partly by the circumstances and the manners of the period, and partly by the neglect of copyists, and the undying fanaticism which ever tried to “improve” this important record of humanity—the speaker instanced the various modes in which the Talmudical authors figured to themselves the Messianic times, and the utter and absolute freedom with which they expressed their opinion on this as on every other religious topic. Every sermon, every discourse that treated of holy things ended with the one comprehensive formula “And may to Sion come the Redeemer!” The opinions of the modes and objects of his coming are many and various; the Talmud records them all equally, faithfully, and without comment, save that to him who says the Messiah is no longer to be expected, it adds, “May God forgive him!”

Further remarks on the value of the Talmud as a “human study” in our days, and the scientific manner in which it should be treated, followed. It required, the speaker said, a certain system and method entirely of its own, being itself in almost every respect an exceptional work. Above all, however, the investigator should not only be armed with patience and perseverance such as is scarcely needed for any other branch of study, but he must

leave all and every prejudice, religious and otherwise, behind him. Then, and then only, might he hope to gather in it some of the richest and most precious fruits of human thought and fancy.

The legend of Elijah standing on the mountains of Judæa three days before the appearance of the Messiah, proclaiming peace and redemption to all mankind, followed by the legendary vision of the final consummation of all things, and of the abolition of Hell and Death,—one of the grandest legends ever conceived,—formed the conclusion of the discourse.



## A LECTURE ON THE TALMUD<sup>1</sup>

DR. EMANUEL DEUTSCH explained that the Talmud is the work which embodies the civil and canonical law of the Jewish people ; that it consists of the *Mishnah*, or text, and the commentary, or *Gemara* ; that its contents have reference not merely to religion, but also to philosophy, medicine, history, jurisprudence, and the various branches of practical duty ; that it is, in fact, a law civil and criminal, national and international, human and divine, forming a kind of supplement to the Pentateuch—a supplement such as it took 1000 years of a nation's life to produce ; and that it is not merely a dull treatise, but it appeals to the imagination and the feelings, and to all that is noblest and purest ; that between the rugged boulders of the law which bestrew the path of the Talmud there grow the blue flowers of romance and poetry, in the most catholic and Eastern sense. Parable, tale, gnome, saga—its elements are taken from heaven and earth ; but chiefly and most lovingly from the human heart and from Scripture, for every verse and every word in this latter became, as it were, a golden nail upon which it hung its gorgeous tapestries. But it would be a great mistake to suppose that the poet's cunning had been at work in the Talmud. It was only

<sup>1</sup> Delivered December 7, 1868, at the Midland Institute, Birmingham.

his heart. The chief feature and charm of its contents lay in their utter *naïveté*. Taken up, as they appeared, at random, and told in their simple, in-artistic, unconscious form, they touched the soul. But nothing could be much more distressing than to attempt to take them out of their antique garb and press them into some kind of modern fashionable dress; or worse still, to systematize and methodize them. It would be as well to attempt to systematize the songs of the bird in the wood, or a mother's parting blessing. He had, however, to endeavor to reproduce a portion of the contents of the Talmud, in their own vague sequence and phraseology; and he should confine himself almost to smaller productions, as parables, apophthegms, allegories, and the like minute things, which were most characteristic, and required little explanation.

The fundamental law of all human and social economy in the Talmud was the utter and absolute equality of man. It was pointed out that man was created alone—not more than one at different times, lest one should say to another, “I am of the better or earlier stock.” And it failed not to mention that man was created on the last day, and that even the gnat was of more ancient lineage than man. In a discussion which arose among the doctors as to which was the most important passage in the whole Bible, one pointed to the verse, “And thou shalt love thy neighbor as thyself.” The other contradicted him and pointed to the words, “And these are the generations of man”—not black, not white, not great, not small—but *man*.



Or, again, they pointed out the words, "And these are the ordinances by which men shall live"—not the priest, or the Levite—but men. The law given on Mount Sinai, the masters said, though emphatically addressed to one people, belonged to all humanity. It was not given in any King's land, not in any city, or inhabited spot, lest the other nations might say, "We know nothing of it." It was given on God's own highway, in the desert—not in the darkness and stillness of night, but in plain day, amid thunder and lightning. And why was it given on Sinai? Because it is the lowliest and the meekest of the mountains—to show that God's spirit rests only upon them that are meek and lowly in their hearts. The Talmud taught that religion was not a thing of creed or dogma or faith merely, but of active goodness. Scripture said, "Ye shall *walk* in the words of the Lord." "But the Lord is a consuming fire—how can man walk in His way?" "By being," they answered, "as He is—merciful, loving, long suffering. Mark how on the first page of the Pentateuch God clothed the naked—Adam; and on the last He buries the dead—Moses. He heals the sick, frees the captives, does good to His enemies, and He is merciful both to the living and to the dead."

In close connection with this stood the relationship of men to their neighbors—chiefly to those beyond the pale of creed or nationality. The Talmud distinctly and strongly set its face against proselytism, pronouncing it to be even dangerous to the commonwealth. There was no occasion, it

said, for conversion to Judaism, as long as a man fulfilled the seven fundamental laws. Every man who did so was regarded as a believer to all intents and purposes. It even went so far as to call every righteous man an Israelite. Distinct injunctions were laid down with regard to proselytes. They were to be discouraged and warned off, and told that the miseries, privations, and persecutions which they wished to take upon themselves were unnecessary, inasmuch as all men were God's children, and might inherit the hereafter ; but if they persisted, they were to be received, and were to be ever afterwards treated tenderly. They illustrated this by a beautiful parable of a deer coming from the forest among a flock of sheep, and being driven off at night and the gate shut against it, but being, after many trials, at length received and treated with more tenderness than any of the sheep. Next stood reverence both for age and youth. They pointed out that not merely the tables of the law which Moses brought down the second time from Sinai, but also those which he broke in his rage, were carefully placed in God's tabernacle, though useless. Reverence old age. But all their most transcendental love was lavished on children. All the verses of Scripture that spoke of flowers and gardens were applied to children and schools. "Do not touch mine anointed ones, and do my prophets no harm." "Mine anointed ones" were school children, and "my prophets" their teachers.

The highest and most exalted title which they



bestowed in their most poetical flights upon God himself was that of "Pedagogue of Man." There was drought and the most pious men prayed and wept for rain, but none came. An insignificant-looking person at length prayed to Him who caused the wind to blow and the rain to fall, and instantly the heavens covered themselves with clouds, and the rain fell. "Who are you," they cried, "whose prayers alone have prevailed?" And he answered, "I am a teacher of little children." When God intended to give the law to the people, He asked them whom they would offer as their guarantees that they would keep it holy, and they said Abraham. God said, "Abraham has sinned—Isaac, Jacob, Moses himself—they have all sinned; I cannot accept them." Then they said "May our children be our witnesses and our guarantees." "And God accepted them; even as it is written 'From the mouths of the wee babes has He founded His empire.'" Indeed the relationship of man to God they could not express more pregnantly than by the most familiar words which occurred from one end of the Talmud to the other, "Our Father in Heaven."

Another simile was that of bride and bridegroom. There was once a man who betrothed himself to a beautiful maiden, and then went away, and the maiden waited and waited and he came not. Friends and rivals mocked her, and said "He will never come." She went into her room, and took out the letters in which he had promised to be ever faithful. Weeping she read them and was

comforted. In time he returned, and enquiring how she had kept her faith so long, she showed him his letters. Israel in misery, in captivity, was mocked by the nations for her hopes of redemption; but Israel went into her schools and synagogues and took out the letters, and was comforted. God would in time redeem her, and say, "How could you alone among all the mocking nations be faithful?" Then Israel would point to the law and answer, "Had I not your promise here?"

Next to women, angels were the most frequent bearers of some of the sublimest and most ideal notions in the Talmud. "Underneath the wings of the seraphim," said the Talmud, "are stretched the arms of the Divine mercy, ever ready to receive sinners." Every word that emanated from God was transformed into an angel, and every good deed of man became a guardian angel to him. On Friday night, when the Jew left the synagogue, a good angel and a bad angel accompanied him. If, on entering the house, he found the table spread, the lamp lighted, and his wife and children in festive garments, ready to bless the holy day of rest, the good angel said, "May the next Sabbath and all following ones be like unto this; peace unto this dwelling—peace!" and the bad angel, against his will, was compelled to say "Amen." If, on the contrary, everything was in confusion, the bad angel rejoiced, and said "May all your Sabbaths and week-days be like this;" while the good angel wept and said "Amen." According to the Talmud, when God was about to create man, great



clamoring arose among the heavenly host. Some said, "Create, O God, a being who shall praise Thee on earth, even as we sing Thy glory in heaven." Others said, "O God, create no more! Man will destroy the glorious harmony which Thou hast set on earth as in heaven." Of a sudden, God turned to the contesting host of heaven, and deep silence fell upon them all. Then before the throne of glory there appeared, bending the knee, the Angel of Mercy, and he prayed, "O Father, create man. He will be thine own noble image on earth. I will fill his heart with heavenly pity and sympathy towards all creatures; they will praise Thee through him." And there appeared the Angel of Peace, and wept: "O God, man will disturb Thine own peace. Blood will flow; he will invent war, confusion, horror. Thy place will be no longer in the midst of all Thy earthly works." The Angel of Justice cried, "You will judge him, God! He shall be subject to my law, and peace shall again find a dwelling-place on earth." The Angel of Truth said, "Father of Truth, cease! With man you create the lie." Out of the deep silence then was heard the divine word: "You shall go with him—you, mine own Seal, Truth; but you shall also remain a denizen of heaven—between heaven and earth you shall float, an everlasting link between both."

The question was asked in the Talmud, why children were born with their hands clenched, and men died with their hands wide open; and the answer was that on entering the world, man de-

sired to grasp everything, but when he was leaving it all slipped away. Even as a fox, which saw a fine vineyard, and lusted after its grapes, but was too fat to get in through the only opening there was, until he had fasted three days. He then got in; but having fed, he could not get out, until he had fasted three days more. "Poor and naked, man enters the world; poor and naked does he leave." To woman the Talmud ascribed all the blessings of the household. From her emanated everything noble, wise, and true. It had not words enough to impress man with the absolute necessity of getting married. Not only was he said to be bereaved of peace, joy, comfort, and faith without a wife, but he was not even called a man. "Who is best taught?" it asked; and the answer is, "He who has learned first from his mother."

Alexander the Great was repeatedly spoken of in the Talmud. In his travels in the East, one day he wandered to the gate of Paradise, and knocked. The guardian angel asked, "Who is there?" "Alexander." "Who is Alexander?" "Alexander, you know—*the* Alexander—Alexander the Great—Conqueror of the world." "We know him not—he cannot enter here. This is the Lord's gate; only the righteous enter here." Alexander begged something to show he had been there, and a small portion of a skull was given him. He took it away, and showed it contemptuously to his wise men, who brought a pair of scales and placing the bone in one, Alexander put some of his silver and gold against it in the other; but the silver and gold "kicked the



beam." More and more silver and gold were put into the scale and at last all his Crown jewels and diadems were in, but they all flew upwards like feathers before the weight of the bone. Then one of the wise men took a grain of dust from the ground and placing it on the bone, the scale went up. The bone was that which surrounded the eye,—and nothing will ever satisfy the eye, until grains of dust and ashes are placed upon it, down in the grave.

In his travels Alexander came to Ethiopia, and a cause was decided in his presence by the king of that country. A man who had recently purchased land found a treasure upon it, which was claimed by the seller of the land. The king reconciled the rival claims by suggesting that the son of one of the men should marry the daughter of the other, and that the treasure should be given as the dowry. Alexander was moody, and the King of Ethiopia asked, "Are you dissatisfied with my judgment?" "Well," Alexander said, "I am not dissatisfied; I only know we should have judged differently in our country." "How?" "We should of course have taken the treasure at once into the King's exchequer, and both those men would have been beheaded on the spot." The King of Ethiopia said, "Allow me to ask a question. Does the sun ever shine in your country?" "Of course." "And does it ever rain?" "Certainly." "Have you any cattle?" "Yes." "Then that is the reason why the sun shines, and the rain rains—it can't be for you."

The lecturer concluded by remarking that what he had been able to bring before the audience proved as it were but a drop in a vast ocean of the Talmud—that strange, wild, weird ocean, with its leviathans, and its wrecks of golden argosies, and with its forlorn bells that send up their dreamy sounds ever and anon, while the fisherman bends upon his oar, and starts and listens, and perchance the tears may come into his eyes.





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